

Tom Davies Square  
200 Brady St

Wednesday, April 10, 2024

**PUBLIC HEARINGS**

**A0014/2024**

**SUE GATES  
BRIAN GATES**

Ward: 10

PIN 73583 0634, Survey Plan 53R-20136 Part(s) 7, 8, 9, and 10, Lot(s) Part Block O, Subdivision Plan 5-S-A, Lot 4, Concession 3, Township of McKim, 501 John Street, Sudbury, [2010-100Z, R2-2 (Low Density Residential Two)]

For relief from Part 4, Section 4.41, subsections 4.41.2, 4.41.3 and 4.41.4 and Part 6, Section 6.3, Table 6.3 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a duplex dwelling with a covered deck, firstly, providing a high water mark setback of 4.268m, where a 6.9m high water mark setback was approved in Minor Variance Application A0117/2013, secondly, to permit the duplex dwelling with covered deck within 20.0m of the high water mark of the lake, where only the accessory structures as set out in subsection 4.41.2, boat launches, marine railways, waterlines and heat pump loops are permitted within 20.0m of a high water mark and the area permitted to be cleared of natural vegetation in Section 4.41.3, thirdly, to permit a maximum of 46% of the required shoreline buffer area to be cleared of natural vegetation, where a maximum of 25%, but in no case shall exceed a maximum of 276.0m<sup>2</sup> of the required shoreline buffer area, is permitted, and fourthly, providing a 4.268m minimum required rear yard, where 6.9m was approved in Minor Variance Application A0117/2013.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATIONS A0058/2013 (22 MAY 13) AND A0117/2013 (17 SEP 13) AND CONSENT APPLICATIONS B0101/2013 TO B0103/2013 (15 AUG 13), B0054/2012 TO B0055/2012 (8 JUN 12) AND B0057/2011 (26 MAY 11)

**A0021/2024**

**MATTHEW DUMONT**

Ward: 7

PIN 73507 0920, Parcel 3843 SEC SES, Lot(s) 319, Subdivision M-69, Lot Part 10, Concession 6, Township of Capreol, 4 Hanna Avenue, Capreol, [2010-100Z, C2 (General Commercial)]

For relief from Part 4, Section 4.15, subsection 4.15.1 e), Part 5, Section 5.2, subsection 5.2.4.3 c) ii), Section 5.4, subsection 5.4.1 and Section 5.5, Table 5.5 and Part 7, Section 7.3, Table 7.1 and Table 7.3 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a multiple dwelling containing four units on the subject property providing, firstly, the landscaped open space adjacent to the lot line abutting Mitchell Street to be 2.13m for a length of 30.58m and 0.695m for a length of 6.0m for the land immediately abutting the parking space identified as #4 on the site plan, where a 3.0m wide landscaped area adjacent to the full length of the lot line shall be required abutting all public roads having a width greater than 10.0m, secondly, the required parking identified as number "4" on the site plan submitted with the application within the corner side yard and to provide a corner side yard setback of 0.695m, where required parking is not permitted within 3.0m of any road having a width of more than 10.0 metres in a commercial zone and where no vehicle may be parked on an unsurfaced area of any corner side yard, thirdly, four (4) parking space, where five (5) parking spaces are required, fourthly, a maximum net residential density of ninety-one (91) units per hectare, where a maximum net residential density of sixty (60) units per hectare is permitted, fifthly, a minimum rear yard setback of 6.91m, where 7.5m is required, and sixthly, a minimum corner side yard setback of 2.13m, where 4.5m is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION A0220/1994 (17 OCT 94)

**A0023/2024**

**JACK ROCCA**

Ward: 1

PIN 73586 0638, Lot(s) 297, Subdivision 4-SC, Lot Part 7, Concession 3, Township of McKim, 331 Regent Street, Sudbury, [2010-100Z, C2 (General Commercial)]

For relief from Part 5, Section 5.5, subsection 5.5.1, Table 5.5 and Part 7, Section 7.2, Table 7.1 of By-law 2010-100Z, being the By-law for the City of Greater Sudbury, as amended, to facilitate the conversion of an existing kitchen, bathroom and eating area to a residential dwelling unit for a total of six residential dwellings units all contained within the existing building providing, firstly, a maximum net residential density of 104 units per hectare, where a maximum net residential density of 87 units per hectare is permitted pursuant to Minor Variance Application A0008/2022, and secondly, to provide for a minimum of 6 parking spaces, where 9 is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION A0008/2022 (9 MAR 22)

**A0027/2024**

**CHRISTOPHER ADAMS**

Ward: 7

PIN 73496 0147, Parcel 41037 SEC SES SRO, Lot(s) 30, Subdivision M-324, Lot Part 9, Concession 1, Township of Garson, 61 Matson Road, Garson, [2010-100Z, R1-5 (Low Density Residential One)]

For relief from Part 4, Section 4.2, subsection 4.2.4 a) of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to facilitate the construction of a detached garage providing a maximum height of 7.899m, where the maximum height of any accessory building or structure on a residential lot shall be 5.0m.

**THIS APPLICATION WAS DEFERRED FROM THE MEETING OF MAY 10, 2023 TO AFFORD THE OWNER THE OPPORTUNITY TO ADDRESS THOSE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS.**

**A0049/2023**

**2380363 ONTARIO LIMITED**

**"REVISED"**

Ward: 4

PIN 02127 0011, Parcel 49451 SEC SES SRO, Subdivision M-597, Block Y, Lot Part 6, Concession 5, Township of McKim, 0 Burton Avenue, Sudbury, [2010-100Z, R3-1 (Medium Density Residential)]

For relief from Part 4, Section 4.15, subsection 4.15.1 e), Part 5, Section 5.2, subsection 5.2.4.3 and Section 5.5, Table 5.5, and Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve lands to be severed, subject of a future consent application, and proposed 8-unit multiple dwelling providing, firstly, a 1.5m wide landscaped open space adjacent to the lot line abutting Burton Avenue, where a 3.0m wide landscaped area adjacent to the full length of the lot line shall be required abutting all public roads having a width greater than 10.0m, secondly, required parking within the required front yard, where no part of any parking area shall be located in any required front yard in a Residential (R) Zone, thirdly, 8 parking spaces, where 12 are required, fourthly, a minimum lot depth of 23.0m, where 30.0m is required, fifthly, a minimum required front yard setback of 1.5m, where 6.0m is required, and sixthly, a minimum required rear yard setback of 1.5m, where 7.5m is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION A0158/2022 (14 DEC 22)

**THIS APPLICATION WAS DEFERRED FROM THE MEETING OF MAY 10, 2023 TO AFFORD THE OWNER THE OPPORTUNITY TO ADDRESS THOSE COMMENTS RECEIVED FROM AGENCIES AND DEPARTMENTS.**

**A0050/2023**

**2380363 ONTARIO LIMITED**

**"REVISED"**

Ward: 4

PIN 02127 0011, Parcel 49451 SEC SES SRO, Subdivision M-597, Block Y, Lot Part 6, Concession 5, Township of McKim, 0 Burton Avenue, Sudbury, [2010-100Z, R3-1 (Medium Density Residential)]

For relief from Part 4, Section 4.15, subsection 4.15.1 e), Part 5, Section 5.2, subsections 5.2.3.4 and 5.2.4.3 and Section 5.5, Table 5.5, and Part 6, Section 6.3, Table 6.5 of By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury, as amended, to approve lands to be retained, subject of a future consent application, and proposed 10-unit multiple dwelling providing, firstly, a 1.5m wide landscaped open space adjacent to the lot lines abutting Selkirk Street and Burton Avenue, where a 3.0m wide landscaped area adjacent to the full length of the lot line shall be required abutting all public roads having a width greater than 10.0m, secondly, 20% of the total required parking spaces be compact parking spaces (measuring 2.5m by 5.5m), where not more than 10% of the total required parking spaces may be compact parking spaces, thirdly, required parking within the required corner side yard, where no part of any parking area shall be located in any required corner side yard in a Residential (R) Zone, fourthly, 10 parking spaces, where 15 are required, fifthly, a minimum required front yard setback of 2.5m, where 6.0m is required, and sixthly, a minimum required interior side yard setback of 0.8m, where 1.8m is required.

PREVIOUSLY SUBJECT TO MINOR VARIANCE APPLICATION A0158/2022 (14 DEC 2022)

**A REMINDER... THE NEXT SCHEDULED MEETING IS  
THURSDAY, APRIL 25, 2024**



Box 5000, Station 'A', 200 Brady Street  
Sudbury ON P3A 5P3  
Tel. (705) 671-2489, Ext. 4376/4346  
Fax (705) 673-2200

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

Office Use Only 2024.01.01	
A0014/2024	
S.P.P. AREA	
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
NDCA REG. AREA	
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)  
APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the *Planning Act*, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): Brian gates. Sue Gates	Email: [REDACTED]
Mailing Address: 655 Kirkwood Drive	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City: Sudbury	Postal Code: P3e-6j6
	Fax Phone: [REDACTED]

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent: Ken Kaltainen	Email: [REDACTED]
Mailing Address: 929 Horseshoe Lake Road	Home Phone: [REDACTED]
501 John Street Sudbury	Business Phone: [REDACTED]
City: Sudbury	Postal Code: P3E 4N1
	Fax Phone: [REDACTED]

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: None
Mailing Address: [REDACTED]
City: [REDACTED] Postal Code: [REDACTED]

- 4) Current Official Plan designation: Living Area 1 Current Zoning By-law designation: R2-2

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Variance To	By-law Requirement	Proposed	Difference
Table 6.3 Rear yard setback	6.9M	4.268 M	2.632 M
Section 4.41.2 high water mark setback	6.9M	4.268 M	4.268 M
Section 4.41.4 Shoreline struc. cov'd Deck	6.9 M	4.268 M	2.632 M
4.41.3 Shoreline buffer area	25%	46%	21%

- b) Is there an eave encroachment? ☐ Yes ☒ No If 'Yes', size of eaves: \_\_\_\_\_ (m)

- c) Description of Proposal:

Build a new 2 residential building

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:

Building is within the new Building Shoreline structure

- 6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): 73583 0626		Township: McKim
Lot No.:	Concession No.:	Parcel(s): Part of Block 'O' RP
Subdivision Plan No.: 5-S-a	Lot:	Reference Plan No.: 53R-20136 Part(s): 7,8,9,10
Municipal Address or Street(s): 501 John Street Sudbury		

- 7) Date of acquisition of subject land. February 2019

- 8) Dimensions of land affected.

Frontage 18.393 (m) Depth 30.545 (m) Area 514.199 (m<sup>2</sup>) Width of Street (m)

- 9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	(m <sup>2</sup> )	196	(m <sup>2</sup> )	
Gross Floor Area:	(m <sup>2</sup> )	217.18	(m <sup>2</sup> )	
No. of storeys:		2		
Width:	(m)	13.5	(m)	
Length:	(m)	15.41	(m)	
Height:	(m)	9	(m)	

- 10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing		Proposed	
Front:	(m)	3	(m)	
Rear:	(m)	12.208 / 11.890	(m)	
Side:	(m)	1.940	(m)	
Side:	(m)	3.000	(m)	

- 11) What types of water supply, sewage disposal and storm drainage are available?

Municipally owned & operated piped water system ☒  
 Municipally owned & operated sanitary sewage system ☒  
 Lake ☒  
 Individual Well ☐  
 Communal Well ☐  
 Individual Septic System ☐  
 Communal Septic System ☐  
 Pit Privy ☐  
 Municipal Sewers/Ditches/Swales ☒

What type of access to the land?

Provincial Highway ☐  
 Municipal Road ☐  
 Maintained Yearly ☒  
 Maintained Seasonal ☒  
 Right-of-way ☒  
 Water ☐  
 If access is by water only, provide parking and docking facilities to be used.

- 12) Date(s) of construction of all buildings and structures on the subject land.

spring 2024

- 13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): residential Length of time: 1-2 years

- 14) Proposed use(s) of the subject property.

Same as #13 ☐ or,

- 15) What is the number of dwelling units on the property? 2

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

If "yes", how many?

- 17) Existing uses of abutting properties: residential

A0014/2024

- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☒ Yes ☐ No

If "yes", indicate the application number(s): \_\_\_\_\_  
or, describe briefly, \_\_\_\_\_

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If "Yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan. \_\_\_\_\_

1 p2 1 Ramsey

#### **PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/we, Brian Gates, Sue Gates

(please print all

names), the registered owner(s) of the property described as 501 John Street, Sudbury

in the City of Greater Sudbury;

#### **Collection, Use and Disclosure of Information:**

- acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

#### **Authority to Enter Land and Photograph**

- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

#### **Appointment of Authorized Agent**

- appoint and authorize Ken Kaltiainen (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 9

day of February

, 20 2024

(Signature)

Signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: BRIAN GATES

Susanna Gates

\*I have authority to bind the Corporation.

A0014/2024

### **PART B: OWNER OR AUTHORIZED AGENT DECLARATION**

I/We, Ken Kaltainen (please print all names),  
the registered owner(s) or authorized agent of the property described as 501 John Street, Sudbury

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this 12 day of FEB, 2024

Commissioner of Oaths

Karen Elizabeth Pigeau, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within the Territorial District of Sudbury and while appointed as a Deputy-Clerk for the City of Greater Sudbury,

signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

Print Name: KEN K  
 \*I have authority to bind the Corporation

\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt: Mar 18/24 Hearing Date: April 10, 2024 Received By: N. Lewis

Zoning Designation: R2-2 Resubmission: ☐ Yes ☒ No

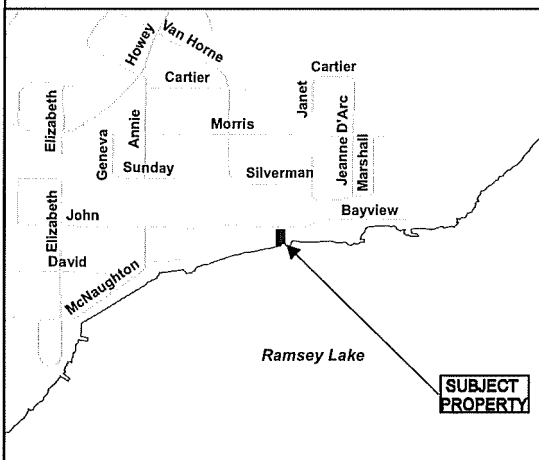
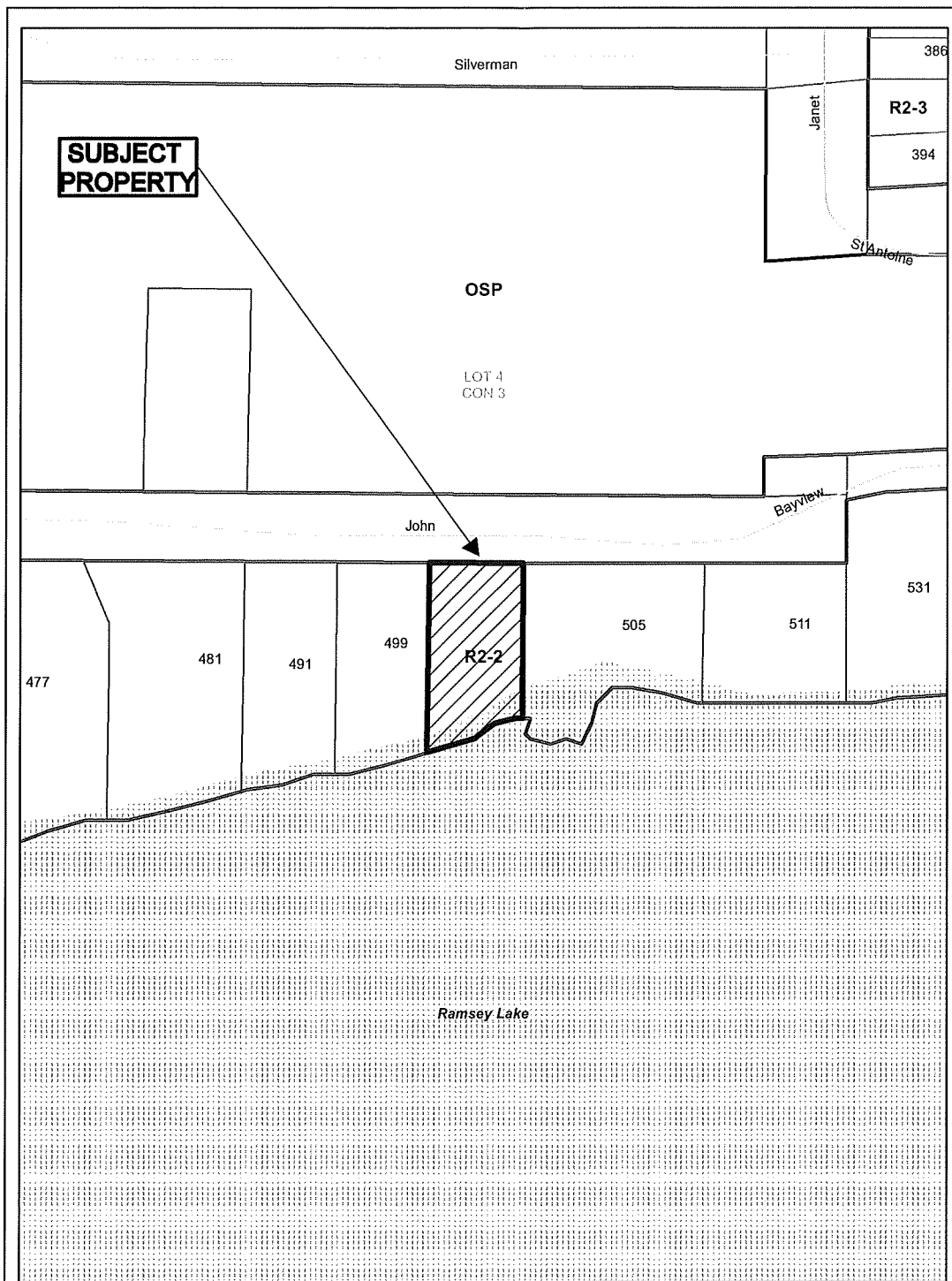
Previous File Number(s):

Previous Hearing Date: 1158/13 8101/13 to 8103/13 854/12 + 855/12 857/11  
(22 MAY 13) (15 AUG 13) (8 JUN 12) (26 MAY 11)

Notes:

A 117/13  
(Sep 17/13)

A0014/2024



# Application for Minor Variance or Permission



Subject Property being PIN 73583-0634,  
Part Block "O", Plan 5-S-A, being Parts 7, 8, 9,  
and 10 on Plan 53R-20136, Part Lot 4, Concession 3,  
Township of McKim, 501 John Street, Sudbury,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0014/2024  
Date: 2024 02 26





**City of Greater Sudbury**

**APPLICATION FOR MINOR VARIANCE**

Office Use Only 2024.01.01	
A 0021/2024	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES	NO <input checked="" type="checkbox"/>

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)

APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)

CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the Planning Act, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): Matthew Dumont Email: [REDACTED]  
Mailing Address: 5 Lexington Crt Home Phone: [REDACTED]  
Business Phone: —  
City: Sudbury Postal Code: P3A 5S1 Fax Phone: —

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent: [REDACTED] Email: [REDACTED]  
Mailing Address: [REDACTED] Home Phone: [REDACTED]  
Business Phone: [REDACTED]  
City: [REDACTED] Postal Code: [REDACTED] Fax Phone: [REDACTED]

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: [REDACTED]  
Mailing Address: [REDACTED]  
City: [REDACTED] Postal Code: [REDACTED]

- 4) Current Official Plan designation: Town Centre Current Zoning By-law designation: General Commercial

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Employment Areas. No Parking of Corner Side Yard 1 space proposed in the 4.5m setback.

Variance To	By-law Requirement	Proposed	Difference
① 7.3 - Rear Yard	7.5m	6.91m	0.59m ✓
② 7.3 - Corner Side Yard	4.5m	2.13m	2.37m ✓
③ 4.15.1(e) - 3.0m Landscape	3.0m	2.13m	0.87m ✓
④ 5.5.1.1 10% Parking	5 spaces	4 spaces	1 space. ✓
⑤ 7.1(10) - 60 units per ha	2.67 units	4 units	1.33 units ✓

- ⑥ c) ii 5.2.4.3 - Location of Spaces. 3.0m 2.305m 0.695m  
b) Is there an eave encroachment? ☐ Yes ☒ No If 'Yes', size of eaves: 0.695m (m)  
⑧ 4.15.1(c) - 3.0m Landscape b/s #4 parking spot 3.0m 0.695m 2.13m  
c) Description of Proposal: to construct a two storey fourplex with rear lane access.

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law: General Commercial permits a density of 2.67 units as a right of use.

6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): 73507-0920 Township: \_\_\_\_\_  
 Lot No.: \_\_\_\_\_ Concession No.: \_\_\_\_\_ Parcel(s): 3834  
 Subdivision Plan No.: 169 Lot: 319 Reference Plan No.: \_\_\_\_\_ Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 4 Hanna Avenue

7) Date of acquisition of subject land. 2018.

8) Dimensions of land affected.

Frontage 12.19m (m) Depth 36.58 (m) Area 444.4 (m<sup>2</sup>) Width of Street 10m (m)

9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	(m <sup>2</sup> )	(m <sup>2</sup> )
Gross Floor Area:	(m <sup>2</sup> )	(m <sup>2</sup> )
No. of storeys:		
Width:	(m)	(m)
Length:	(m)	(m)
Height:	(m)	(m)

*VACANT*

10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing	Proposed
Front:	(m)	(m)
Rear:	(m)	(m)
Side:	(m)	(m)
Side:	(m)	(m)

*VACANT*

11) What types of water supply, sewage disposal and storm drainage are available?

What type of access to the land?

Municipally owned & operated piped water system ☒  
 Municipally owned & operated sanitary sewage system ☒  
 Lake ☐  
 Individual Well ☐  
 Communal Well ☐  
 Individual Septic System ☐  
 Communal Septic System ☐  
 Pit Privy ☐  
 Municipal Sewers/Ditches/Swales ☐

Provincial Highway ☐  
 Municipal Road ☐  
 Maintained Yearly ☒  
 Maintained Seasonal ☐  
 Right-of-way ☐  
 Water ☐  
 If access is by water only, provide parking and docking facilities to be used.

12) Date(s) of construction of all buildings and structures on the subject land.

NONE

13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): VACANT Length of time: 12 years

14) Proposed use(s) of the subject property.

Same as #13 ☐ or, 4 plex, two storey

15) What is the number of dwelling units on the property?

4

16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

If "yes", how many?

17) Existing uses of abutting properties:

Residential, Two storey structure w/ Rear Lane Access.

Aug 21 / 2024

- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☒ No

If "yes", indicate the application number(s): \_\_\_\_\_  
or, describe briefly, \_\_\_\_\_

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If 'Yes', indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan. \_\_\_\_\_

### **PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, Matthew Dumont (please print all names), the registered owner(s) of the property described as 4 Hanna Avenue, Capreol  
Don 140, City of Greater Sudbury  
in the City of Greater Sudbury:

#### **Collection, Use and Disclosure of Information:**

- acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

#### **Authority to Enter Land and Photograph**

- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

#### **Appointment of Authorized Agent**

- appoint and authorize \_\_\_\_\_ (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 15<sup>th</sup> day of March, 20 24

(witness) [Signature]

[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Matthew Dumont

\*I have authority to bind the Corporation

A0021/2024

I/We, Matthew Darnoff (please print all names),  
the registered owner(s) or authorized agent of the property described as 4 Hanna Avenue,  
Capreol ON Pom 1H0 - City of Greater Sudbury.  
in the City of Greater Sudbury:

Dated this 10<sup>th</sup> day of March, 20 24

\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt: March 6/94      Hearing Date: April 10, 2004      Received By: N. Lewis

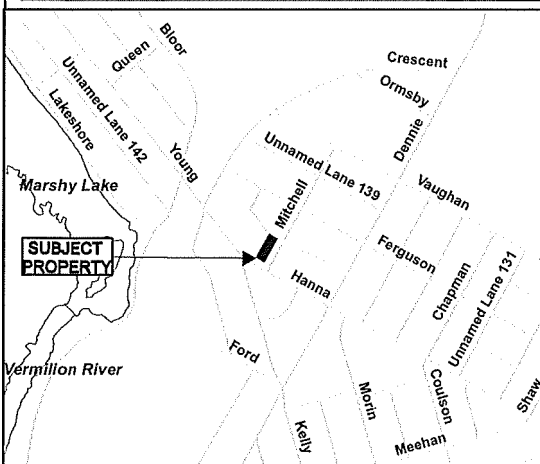
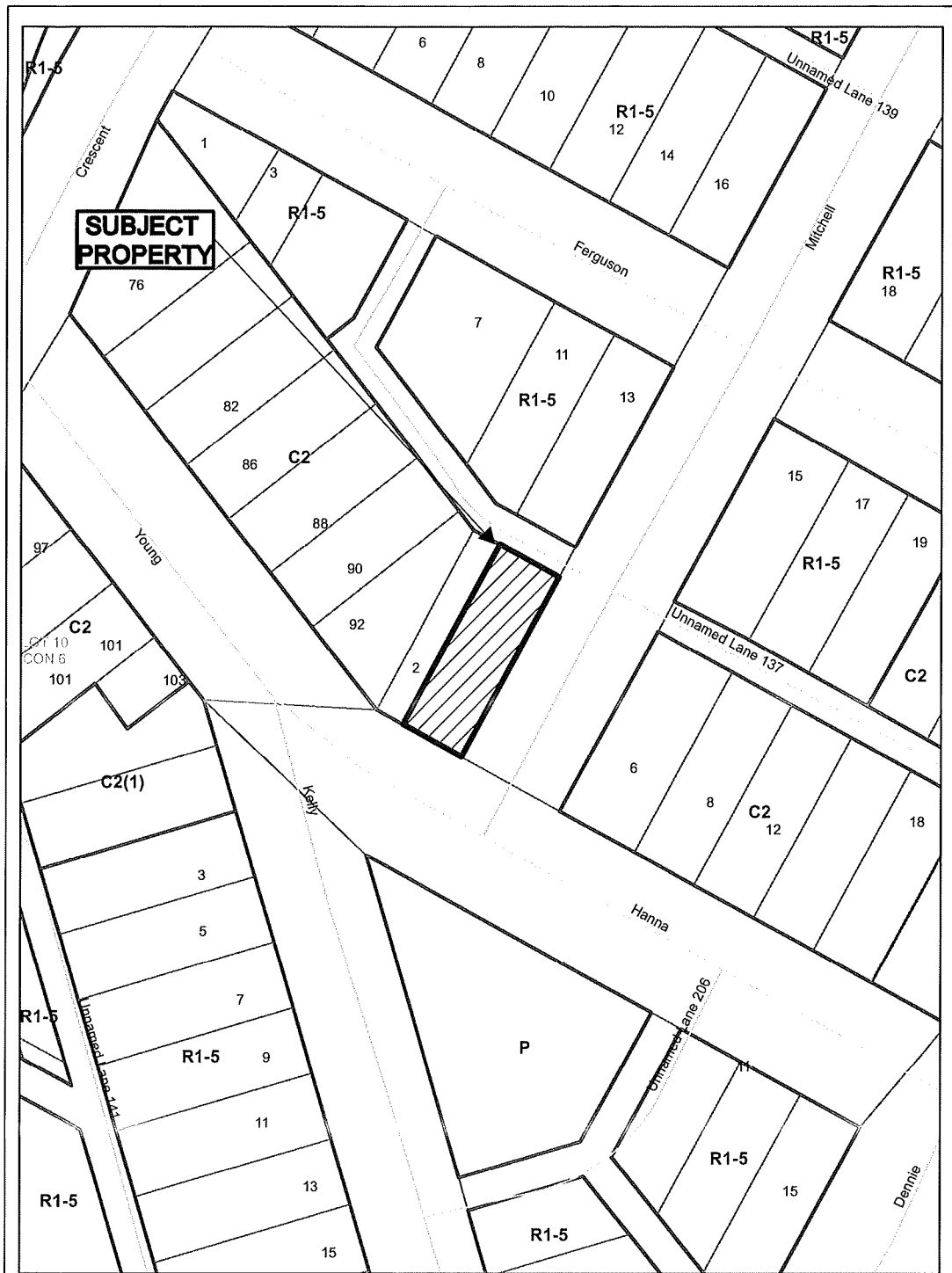
Zoning Designation: C2      Resubmission: ☐ Yes    ☒ No

Previous File Number(s): A0280/1994

Previous Hearing Date: October 17, 1994

Notes:

A0021/2024



## Application for Minor Variance or Permission



Subject Property being PIN 73507-0920,  
Parcel 3843 SEC SES, Lot 319, Plan M-69,  
Part Lot 10, Concession 6, Township of Capreol,  
4 Hanna Avenue, Capreol,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0021/2024  
Date: 2024 03 12

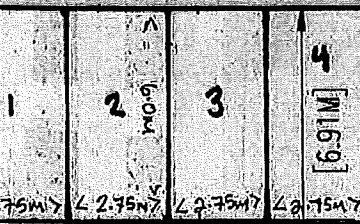
LANEWAY - M69

40'

[12.19M]

18'-1"

[5.50M]



4

[6.91M]

2.75M

2.75M

2.75M

2.75M

0.50

0.695M

27'

[8.23M]

7'

[21.64M]

PROPOSED  
4 UNIT BUILDING

6'

[1.83M]

7'

[2.13M]

26'-4"

[8.03M]

GRASS

GRASS

7.5M

Sight TRIANGLE

40'

[12.19M]

HANNA AVENUE

MITCHELL STREET

120'

[36.58M]

Sight TRIANGLE

Site Information

Proposed use	FourPlex
Lot Area (Lot of Record)	444.4M <sup>2</sup>
Building Coverage	183M <sup>2</sup>
Gross Floor Area	361M <sup>2</sup>
# OF FLOORS	Two
Building Height	8.0M
# of Parking Spaces	4 parking
LANDSCAPE AREA	187.57M <sup>2</sup>

A0021/2024  
Sketch 2





Dec. 1869

Plan No 69

**PLAN**  
of Subdivision of part of Lot 10  
Concession 577, Etc. of the Township of Capreol  
**CAPREOL**  
District of Sudbury Ont.  
Scale 100 ft to an inch.

**Surveyor's Certificate.**

I hereby certify that the plan accompanying this certificate is a true and correct copy of the original plan of the subdivision of the land shown on the plan, and that the same is in accordance with the provisions of the Land Titles Act, R.S.O. 1914, c. 184, and the provisions of the Land Titles Act, R.S.O. 1914, c. 184, and the provisions of the Land Titles Act, R.S.O. 1914, c. 184.

Sudbury Ont.  
Oct. 14/1917

Wm. R. Young  
Surveyor.

**Owner's Certificate.**  
Whereby certify that the plan accompanying this certificate is a true and correct copy of the original plan of the subdivision of the land shown on the plan, and that the same is in accordance with the provisions of the Land Titles Act, R.S.O. 1914, c. 184, and the provisions of the Land Titles Act, R.S.O. 1914, c. 184, and the provisions of the Land Titles Act, R.S.O. 1914, c. 184.

WITH

Cupred Female

Wm. R. Young  
Surveyor.

I, Cyril T. Young of the City of Toronto, in the County of York, Manager, make oath and say:  
I am Secretary, Treasurer of the Capreol Township Limited.  
D.M. Morris, whose signature is affixed to the annexed document is the President of the said Company, and F.L. Danks, whose signature is also affixed thereto is a director thereof; and the said official thereby is the corporate seal of the said Company.  
Under the by-laws of the said Company the President and a director are empowered to execute on behalf of the Company all deeds and other instruments requiring the seal of the Company.  
I am well acquainted with the said D.M. Morris and F.L. Danks, and saw them execute the said document, and saw a subscribing witness thereto.  
The said Company is, I verify before the owner of the land mentioned in the said document.  
Sworn before me at Toronto, in the County of York, Ontario, this 31st day of July, at the City of Toronto, in the County of York, Ontario, in the Year 1917.



**NOTE**  
INFORMATION DOTTED  
IN ON THIS PLAN IS  
VAGUE ON ORIGINAL.

I HEREBY CERTIFY THAT THIS PLAN  
REPRESENTS A TRUE COPY OF  
REGISTERED PLAN M-69.  
Assistant Examiner of Surveys  
DATED JUNE 6, 1918

I hereby certify that this Plan is  
a true and correct copy of the original  
of Land Titles at Sudbury, Ontario, Plan  
7334, Subdivision East of the said Plan M-69  
in 15th Concession 1918  
Local Member of Titles

— Municipal Consent —  
The Municipal Corporation of Capreol  
having accounts to this subdivision and  
approves this plan.  
Date of Capital... Sept. 9th 1918...  
C. G. Gauthier  
Town Clerk  
Acting Mayor

I hereby approve of this Subdivision and have selected the  
following Land under Statutes of Ontario 40 Edward VI Chap. 9.  
Plumbers: — 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

A0021/2024  
Sketch 5

Wm. R. Young  
Surveyor

69 27 1917



Box 5000, Station 'A', 200 Brady Street  
Sudbury ON P3A 5P3  
Tel. (705) 671-2489, Ext. 4376/4346  
Fax (705) 673-2200

Office Use Only 2023.01.01	
A 0023/2024	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES	NO <input checked="" type="checkbox"/>

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,180.00 (includes \$280.00 legal notice fee)  
APPLICATION FEE FOR HEDGEROWS: \$357.00 (includes \$280.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the Planning Act, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): Jack Rocca Email: [REDACTED]  
Mailing Address: 87 Baycrest Road Home Phone: [REDACTED]  
City: Sudbury Postal Code: P3B 7x7 Business Phone: [REDACTED]  
Fax Phone: [REDACTED]

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent: \_\_\_\_\_ Email: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
City: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
Fax Phone: \_\_\_\_\_

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: N/A.  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

- 4) Current Official Plan designation: Mixed use commercial Current Zoning By-law designation: C-2

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Variance To	By-law Requirement	Proposed	Difference
Allow a bachelor apt. to remain	60 u ph 9 parking spots	100 u ph 6 parking spots	40 u ph 3 parking spots

(6 units)

- b) Is there an eave encroachment? ☐ Yes ☒ No If 'Yes', size of eaves: \_\_\_\_\_ (m)

- c) Description of Proposal: Convert existing kitchen bathroom, eat in area which was common to 10 renting rooms, into a bachelor apt.

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
By law allows 60 units per hectare, 100 units per hectare asked for. Provide 6 parking spots, where 9 are required.

- 6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): 735-86-0638 Township: McKim  
 Lot No.: 7 Concession No.: 3 Parcel(s):  
 Subdivision Plan No.: 43C Lot: 297 Reference Plan No.: Part(s):  
 Municipal Address or Street(s): 331 Regent St., Sudbury

- 7) Date of acquisition of subject land.
- March 5, 2021

- 8) Dimensions of land affected.

Frontage 15.24 (m) Depth 38.1 (m) Area 580.644 (m<sup>2</sup>) Width of Street 20.1168 (m)

- 9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	<u>278.71</u> (m <sup>2</sup> )	<u>278.71</u> (m <sup>2</sup> )
Gross Floor Area:	<u>557.42</u> (m <sup>2</sup> )	<u>557.42</u> (m <sup>2</sup> )
No. of storeys:	<u>1</u>	<u>1</u>
Width:	<u>12.192</u> (m)	<u>12.192</u> (m)
Length:	<u>22.86</u> (m)	<u>22.86</u> (m)
Height:	<u>4.26</u> (m)	<u>4.26</u> (m)

- 10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing	Proposed
Front:	<u>0.06</u> (m)	<u>same</u> (m)
Rear:	<u>15.14</u> (m)	<u>same</u> (m)
Side:	<u>2.90</u> (m)	<u>same</u> (m)
Side:	<u>0.03</u> (m)	<u>same</u> (m)

- 11) What types of water supply, sewage disposal and storm drainage are available?

What type of access to the land?

Municipally owned & operated piped water system	<input checked="" type="checkbox"/>	Provincial Highway	<input type="checkbox"/>
Municipally owned & operated sanitary sewage system	<input checked="" type="checkbox"/>	Municipal Road	<input type="checkbox"/>
Lake	<input type="checkbox"/>	Maintained Yearly	<input checked="" type="checkbox"/>
Individual Well	<input type="checkbox"/>	Maintained Seasonal	<input type="checkbox"/>
Communal Well	<input type="checkbox"/>	Right-of-way	<input type="checkbox"/>
Individual Septic System	<input type="checkbox"/>	Water	<input type="checkbox"/>
Communal Septic System	<input type="checkbox"/>	If access is by water only, provide parking and docking facilities to be used.	
Pit Privy	<input type="checkbox"/>		
Municipal Sewers/Ditches/Swales	<input type="checkbox"/>		

- 12) Date(s) of construction of all buildings and structures on the subject land.

Unknown

- 13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): Residential approved for 5 units Length of time: 3 units main floor & bachelor apt. downstairs, 15 years plus

- 14) Proposed use(s) of the subject property.

Same as #13 ☐ or, Residential, 6 apt. units

- 15) What is the number of dwelling units on the property?
- 3 existing 2 waiting for bldg. permit, bachelor apt. existing

- 16) If this application is approved, would any existing dwelling units be legalized?
- ☒
- Yes
- ☐
- No

If "yes", how many? one

- 17) Existing uses of abutting properties:
- Commercial and mixed comm. - residential, residential

A00 23/2024



- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☒ Yes ☐ No

If "yes", indicate the application number(s): A0008/2022  
or, describe briefly, \_\_\_\_\_

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If "Yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan?

☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan. \_\_\_\_\_

### PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, Jack Rocca (please print all names), the registered owner(s) of the property described as 331 Regent St., Sudbury  
in the City of Greater Sudbury:

#### Collection, Use and Disclosure of Information:

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- d) grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

#### Authority to Enter Land and Photograph

- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

#### Appointment of Authorized Agent

- g) appoint and authorize \_\_\_\_\_ (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 17 day of March, 20 24

(witness) [Signature]

[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: Jack Rocca


\*I have authority to bind the Corporation

A0023/2024


I/We, Jack Rocca (please print all names),  
the registered owner(s) or authorized agent of the property described as 331 Regent St., Sudbury

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this 13 day of March, 20 28

  
Commissioner of Oaths

Karen Elizabeth Pigeau, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within the Territorial District of Sudbury and while appointed as a Deputy-Clerk for the City of Greater Sudbury.

  
signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

Print Name: Jack Rocca  
 \*I have authority to bind the Corporation

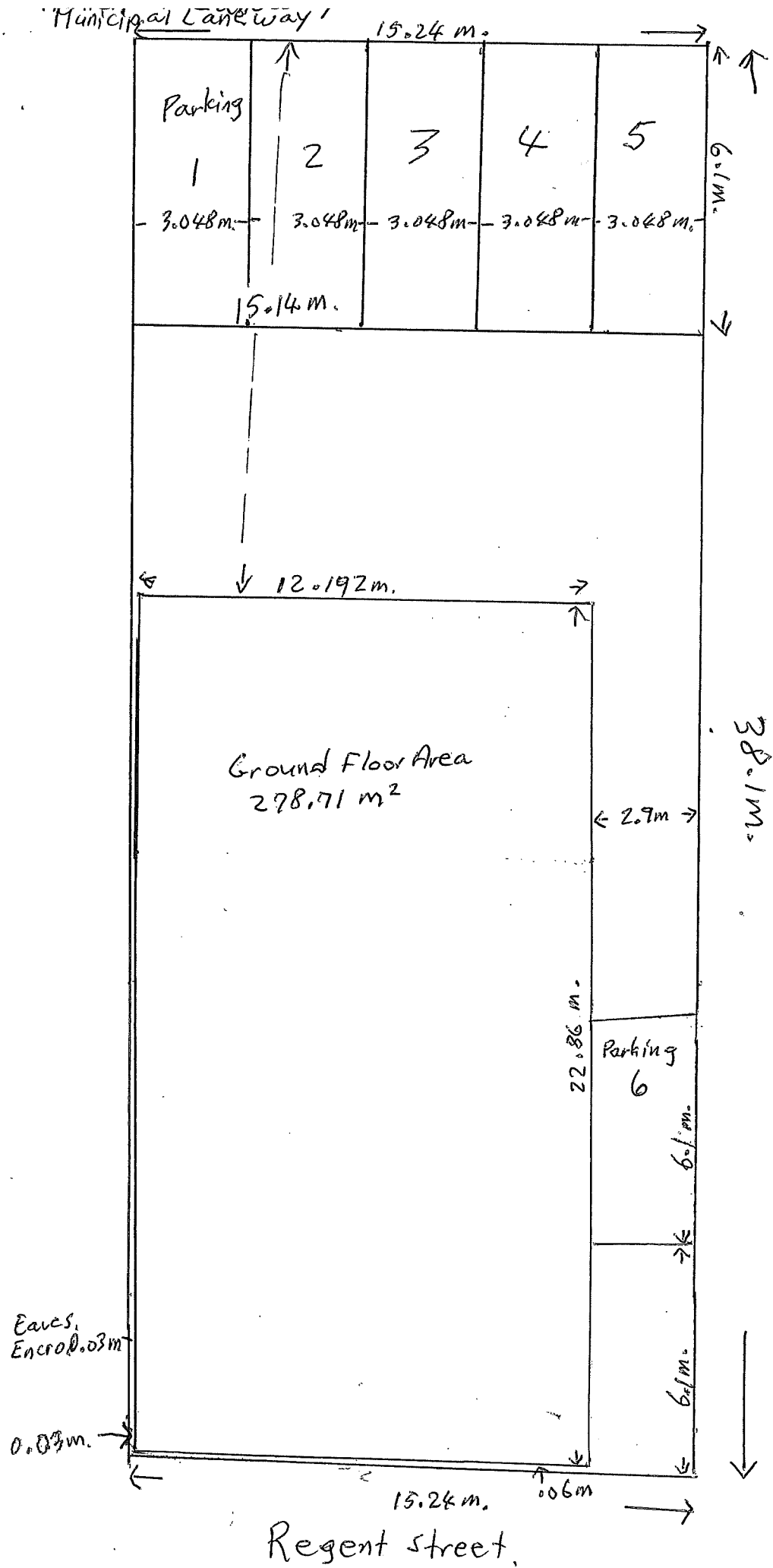
\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt: Mar 14/24	Hearing Date: April 10, 2024	Received By: N. Lewis
Zoning Designation: C2	Resubmission: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Previous File Number(s): A8/22 (Mar 9/22)		
Previous Hearing Date:		
Notes:		

A0023/2024





Aug 23/2024  
Sketch 2





Box 5000, Station 'A', 200 Brady Street  
Sudbury ON P3A 5P3  
Tel. (705) 671-2489, Ext. 4376/4346  
Fax (705) 673-2200

## City of Greater Sudbury

### APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)

APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)

CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the Planning Act, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): CHRISTOPHER ADAMS Email: [REDACTED]  
Mailing Address: 61 MATSON Home Phone: [REDACTED]  
Business Phone: [REDACTED]  
City: GARCON ONT Postal Code: P3L 1M3 Fax Phone: [REDACTED]

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent: NORTHERN ELITE HOMES Email: [REDACTED]  
Mailing Address: P.O. BOX 136 Home Phone: [REDACTED]  
Business Phone: [REDACTED]  
City: VAL CARON ONT Postal Code: P3N 1N6 Fax Phone: [REDACTED]  
Note: Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: TORONTO DOMINION BANK  
Mailing Address: 2208 LESLIE BLVD  
City: SUDBURY ONT Postal Code: P3A 2A8

- 4) Current Official Plan designation: LIVING AREA Current Zoning By-law designation: R1-5

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Variance To	By-law Requirement	Proposed	Difference
<u>HEIGHT</u>	<u>5.004</u>	<u>7.899</u>	<u>2.896</u>
<u>4.2.4 A)</u>			

- b) Is there an eave encroachment? ☐ Yes ☒ No If 'Yes', size of eaves: \_\_\_\_\_ (m)

- c) Description of Proposal: CONSTRUCTION OF A GARAGE WITH LOFT.  
40'x44' AND A HEIGHT OF 25'11" (7.899 meters)

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
LOFT FOR STORAGE AND I OWN A LARGE 5TH  
WHEEL TRAILER

- 6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): \_\_\_\_\_ Township: BARSON  
 Lot No.: 9 Concession No.: 1 Parcel(s): 41037  
 Subdivision Plan No.: M 324 Lot: 30 Reference Plan No.: \_\_\_\_\_ Part(s): \_\_\_\_\_  
 Municipal Address or Street(s): 61 MATHER RD, BARSON ONT.

- 7) Date of acquisition of subject land.
- 2005

- 8) Dimensions of land affected.

Frontage 10.5 (m) Depth 68 (m) Area 18.56 (m<sup>2</sup>) Width of Street — (m)

- 9) Particulars of all buildings:

	Existing	Proposed
Ground Floor Area:	(m <sup>2</sup> )	<u>163.47</u> (m <sup>2</sup> )
Gross Floor Area:	(m <sup>2</sup> )	(m <sup>2</sup> )
No. of storeys:		<u>3</u>
Width:	(m)	<u>12.19</u> (m)
Length:	(m)	<u>13.41</u> (m)
Height:	(m)	<u>7.89</u> (m)

- 10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing	Proposed
Front:	(m)	(m)
Rear:	(m)	(m)
Side:	(m)	(m)
Side:	(m)	<u>4m AT BACK 7 FRONT</u> (m)

- 11) What types of water supply, sewage disposal and storm drainage are available?

Municipally owned & operated piped water system  
 Municipally owned & operated sanitary sewage system  
 Lake  
 Individual Well  
 Communal Well  
 Individual Septic System  
 Communal Septic System  
 Pit Privy  
 Municipal Sewers/Ditches/Swales

What type of access to the land?  
☒ Provincial Highway  
☒ Municipal Road  
☐ Maintained Yearly  
☐ Maintained Seasonal  
☐ Right-of-way  
☐ Water  
☐ If access is by water only, provide parking and docking facilities to be used.

- 12) Date(s) of construction of all buildings and structures on the subject land.

NEW HOME to be built - Existing GARAGE DEMOED HOME to be demo  
LAST WEEK OF MARCH

- 13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): Residential Length of time: ALWAYS

- 14) Proposed use(s) of the subject property.

Same as #13 ☒ or, \_\_\_\_\_

- 15) What is the number of dwelling units on the property?

ONE

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

If "yes", how many? \_\_\_\_\_

- 17) Existing uses of abutting properties:

RESIDENTIAL AND INDUSTRIAL

APR 27/2024

- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☐ Yes ☒ No

If "yes", indicate the application number(s): \_\_\_\_\_  
or, describe briefly, \_\_\_\_\_

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If 'Yes', indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan? UNKNOWN  
☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan. \_\_\_\_\_

#### PART A: OWNER ACKNOWLEDGEMENT AND CONSENT

I/We, CHRISTOPHER ADAMS (please print all names), the registered owner(s) of the property described as 61 MATSON RD, GARRON, ON  
in the City of Greater Sudbury:

#### Collection, Use and Disclosure of Information:

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- d) grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

#### Authority to Enter Land and Photograph

- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

#### Appointment of Authorized Agent

- g) appoint and authorize NORTHERN ELITE HOMES (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 22th day of March, 20 24

[Signature]  
(witness)

[Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: CHRISTOPHER ADAMS

\*I have authority to bind the Corporation

A00 27/2024


**PART B: OWNER OR AUTHORIZED AGENT DECLARATION**

I/We, NORTHERN ELITE HOMES (MARCEL LAROCQUE) (please print all names),  
the registered owner(s) or authorized agent of the property described as

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this 20. day of MARCH, 20 24

  
Commissioner of Oaths

signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

**Paula Elizabeth Turkington-Green, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within Territorial District of Sudbury and while appointed as a Deputy-Clerk for the City of Greater Sudbury.**

Print Name: MARCEL LAROCQUE  
 \*I have authority to bind the Corporation

\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt: <u>Mar. 20/24</u>	Hearing Date: <u>April 10, 2024</u>	Received By: <u>N. Lewis</u>
Zoning Designation: <u>R1-S</u>	Resubmission: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Previous File Number(s): <u>none</u>		
Previous Hearing Date:		
Notes:		

Aug 27/2024

**Minor Variance Application**  
**61 Matson Rd, Garson**

**Existing Single Family Dwelling to be demolished – Demolition Permit BP-DEM-2024-00038**

**Proposed Single Family Dwelling – Building Permit BP-NEW-2024-00122**

**Question 9:**

Ground Floor Area: 213sqm

Gross Floor Area: 400sqm

No. of Storeys: 1

Width: 7m

Length: 18.9m

Height: 6.3m

**Question 10:**

Front: 10.2m

Rear: 33.9m

Corner Side: 4.7m

Side: 1.8m

**Proposed Detached Garage – Building Permit BP-NEW-2024-00132**

**Question 9:**

Ground Floor Area: 164sqm

Gross Floor Area: 164sqm

No. of Storeys: 1

Width: 12.2m

Length: 13.4m

Height: 8m *7.89m*

**Question 10:**

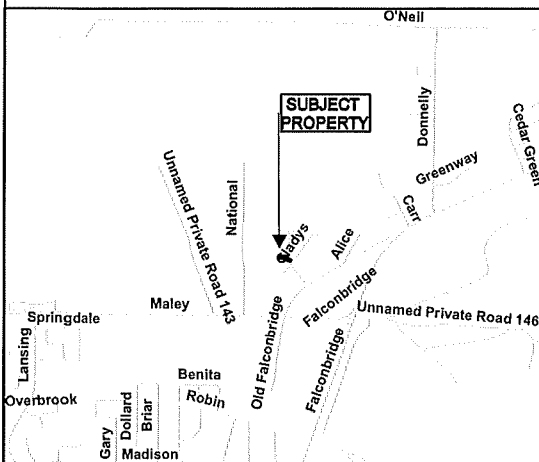
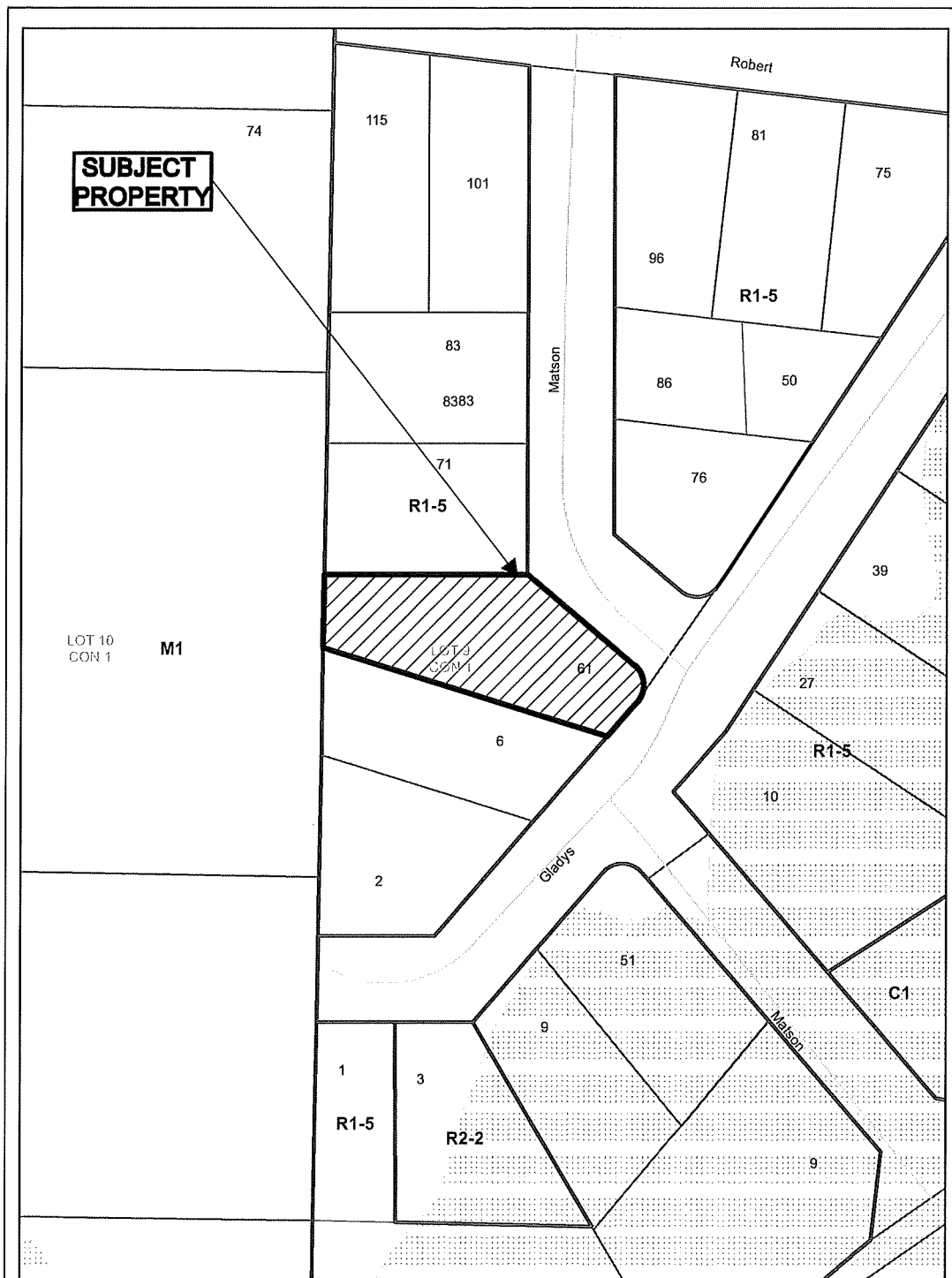
Front: 53.7m

Rear: 2m

Side: 1.8

Side: 3.7m

*A0027/2024*



# Application for Minor Variance or Permission



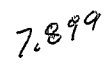
Subject Property being PIN 73496-0147,  
Parcel 41037 SEC SES SRO, Lot 30, Plan M-324,  
Part Lot 9, Concession 1, Township of Garson,  
61 Matson Road, Garson,  
City of Greater Sudbury

Sketch 1, NTS  
NDCA

A0027/2024  
Date: 2024 03 25

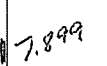
[illegible]

A0027/2024  
Sketch 2



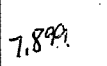
7.899

- 7.899



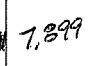
7.899

- 7.899



7.899.

- 7.899.



7,899

- 7,899

**QUALIFICATION INFORMATION**

Required unless design is exempt under Division C - 3.2.3.1. of the 2006 Ontario Building Code (or 2.17.3.1) of the 1997 Ontario Building Code

SHERRY DEXTER  
NAME *Sherry* 57093  
SIGNATURE DON

Required unless design is exempt under Division C - 3.2.4.1, of the 2000 Ontario Building Code (or 2.13.4.1. of the 1997 Ontario Building Code)

\_\_\_\_\_

1. THE CONTRACTOR AND ALL SUB-CONTRACTORS SHALL VERIFY ALL DIMENSIONS, DETAILS AND SPECIFICATIONS ON SITE AND REPORT ALL DISCREPANCIES IN WRITING TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.
2. DRAWINGS ARE NOT TO BE SCALED.
3. THE CONTRACTOR AND SUB-CONTRACTORS, BEFORE PROCEEDING WITH THE WORK MUST OBTAIN NECESSARY PERMITS AND APPROVE DRAWINGS TO THE DESIGNER FOR APPROVAL.
4. ALL CONCEPTS, DESIGNS, DETAILS, DRAWINGS AND SPECIFICATIONS ARE: THE PROPERTY OF THE DESIGNER AND AS SUCH, THEY ARE NOT INTENDED FOR USE ON OTHER PROJECTS OR EXTENSION OF OR THE SPECIFIED PROJECT WHATSOEVER.
5. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL NECESSARY PERMIT DOCUMENTS.

- |           |                     |
|-----------|---------------------|
| REMARKS   |                     |
| OCCUPANCY | GROUP C RESIDENTIAL |

OCCUPANCY	:	GROUP C RESIDENTIAL
DETACHED GARAGE AREA	:	1740 SQ.FT.
NUMBER OF STORIES	:	1
HEIGHT OF BUILDING	:	1 STORY
CONSTRUCTION TYPE	:	CONCRETE/CLC

PROJECT


1	THROTTLED	FOR PLUMET
ALTIMETER	DATE	OROGRAPH
CHART NO.	SHIRLEY DEXTER	
CHART FILE NO.	ADAM SHARON	

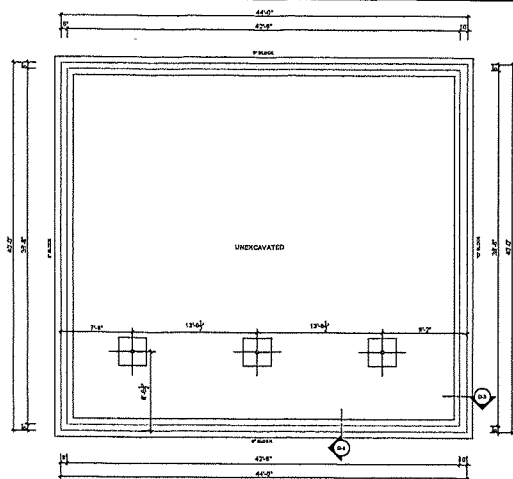
**GARAGE**

\_\_\_\_\_

A-8

A0027/2024  
 Sketch 3

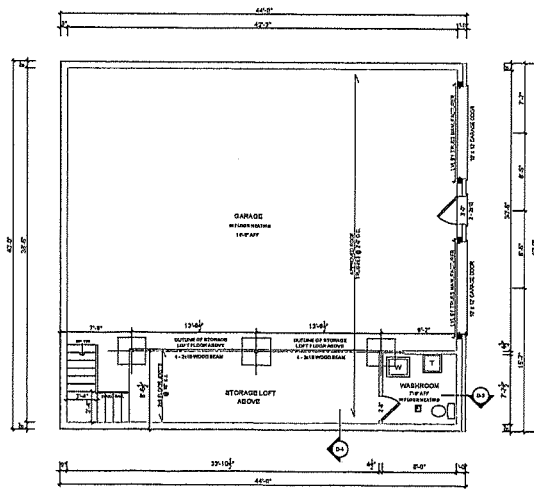
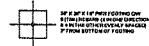




FOUNDATION PLAN

SCALE: 1/8" = 1'-0"

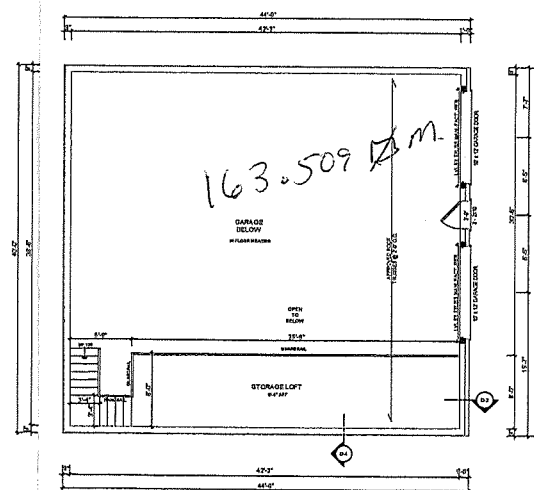
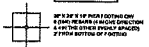
- NOTES:
1. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  2. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  3. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  4. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  5. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.



MAIN FLOOR PLAN

SCALE: 1/8" = 1'-0"

- NOTES:
1. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  2. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  3. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  4. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  5. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.



STORAGE LOFT FLOOR PLAN

SCALE: 1/8" = 1'-0"

- NOTES:
1. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  2. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  3. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  4. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.
  5. ALL DIMENSIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE.



The undersigned has reviewed and taken responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION

Registered under the Engineering Act, R.S.O. 1990, Chapter O.1, of the 1990 Ontario Building Code (as amended)

DESIGNER'S IDENTIFICATION

NAME: Chris Adams & Michele Skakoon

LOCATION: 61 Matson Road, Garrison, Ontario, P3L 1M3

REGISTRATION INFORMATION

Registered under the Engineering Act, R.S.O. 1990, Chapter O.1, of the 1990 Ontario Building Code (as amended)

REGISTERED DESIGNER'S IDENTIFICATION

NAME: Chris Adams & Michele Skakoon

LOCATION: 61 Matson Road, Garrison, Ontario, P3L 1M3

REGISTERED DESIGNER'S IDENTIFICATION

NAME: Chris Adams & Michele Skakoon

LOCATION: 61 Matson Road, Garrison, Ontario, P3L 1M3

GENERAL NOTES:

1. THE CONTRACTOR AND ALL SUB-CONTRACTORS SHALL REPORT ALL CONCRETE, STEEL AND SPECIFICATIONS ON SITE AND REPORT ALL DISCREPANCIES IN WRITING TO THE DESIGNER BEFORE PROCEEDING WITH THE WORK.
2. DRAWINGS ARE NOT TO BE SCALED.
3. THE CONTRACTOR AND SUB-CONTRACTORS, BEFORE PROCEEDING WITH THE WORK, MUST SUBMIT ALL NECESSARY SAMPLES AND SHOP DRAWINGS TO THE DESIGNER FOR APPROVAL.
4. ALL CONCRETE, STEEL, STEEL, STEEL, STEEL AND SPECIFICATIONS ARE THE PROPERTY OF THE DESIGNER AND ARE NOT TO BE USED FOR ANY OTHER PROJECTS OR EXTENDING OF THE SPECIFIED PROJECT MATERIALS.
5. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL NECESSARY PERMIT DOCUMENTS.

DESIGNER'S IDENTIFICATION

NAME: Chris Adams & Michele Skakoon

LOCATION: 61 Matson Road, Garrison, Ontario, P3L 1M3

Chris Adams & Michele Skakoon  
61 Matson Road  
Garrison, Ontario  
P3L 1M3

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	01/11/2024

DESIGNER'S IDENTIFICATION

NAME: Chris Adams & Michele Skakoon

LOCATION: 61 Matson Road, Garrison, Ontario, P3L 1M3

Garage Foundation, Main & Storage Loft Floor Plans

A0027/2024  
Sketch 4



Box 5000, Station 'A', 200 Brady Street  
Sudbury ON P3A 5P3  
Tel. (705) 671-2489, Ext. 4376/4346  
Fax (705) 673-2200

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

Revised  
'Severed Lot'

Office Use Only 2024.01.01	
A 0049/2023	
S.P.P. AREA	
YES	NO <input checked="" type="checkbox"/>
NDCA REG. AREA	
YES	NO <input checked="" type="checkbox"/>

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)  
APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the Planning Act, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): 2380363 ONTARIO LIMITED Email: [REDACTED]  
Mailing Address: 219 O'Neil Drive East, Hanmer Home Phone: [REDACTED]  
Business Phone: [REDACTED]  
City: Sudbury Postal Code: P3L 1H6 Fax Phone: [REDACTED]

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent: TULLOCH Email: [REDACTED]  
Mailing Address: 1942 Regent Street Unit L Home Phone: [REDACTED]  
Unavailable Business Phone: [REDACTED]  
City: Sudbury Postal Code: P3E 5V5 Fax Phone: [REDACTED]  
Note: Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: N/A  
Mailing Address: [REDACTED]  
City: [REDACTED] Postal Code: [REDACTED]

- 4) Current Official Plan designation: Living Area I Current Zoning By-law designation: R3-1 (Medium Density Residential)

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Variance To	By-law Requirement	Proposed	Difference
Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m
Parking Space Requirements	12 PS, per Table 5.5	8 PS (1 PS per unit)	4 PS
Minimum Lot Depth	30m, per Table 6.5	23m	7m
Minimum Front Yard Setback	6m, per Table 6.5	1.5m	4.5m
Minimum Rear Yard Setback	7.5m, per Table 6.5	1.5m	6m

Yards where Parking Areas are Permitted  
b) Is there an eave encroachment? ☐ Yes ☒ No Front yard parking not permitted, per Section 5.2.4.3 Parking area to be located in the required front yard. If 'Yes', size of eaves: (m) Not permitted, per Section 5.2.4.3

- c) Description of Proposal:  
Proposed minor variances as described above to facilitate the development of a 2 storey 8 unit multiple dwellings on the proposed severed lot.
- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:  
Limited space on the subject property due to topographic constraints. Further, the variances are proposed to make the site developable, enable the density envisioned in the OP for medium density residential housing (90u/ha) (78u/ha proposed) and facilitate the creation of the proposed lots as outlined on the attached drawing.

- 6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): 02127-0011		Township: Sudbury	
Lot No.:	Concession No.:	Parcel(s): 49451	
Subdivision Plan No.: M597		Lot: BLK Y	Reference Plan No.:
Municipal Address or Street(s): Unavailable		Part(s):	

- 7) Date of acquisition of subject land. Sep 29, 2021

- 8) Dimensions of land affected.

Frontage  $\pm 39.84$  (m)    Depth  $\pm 24.52$  (m)    Area  $\pm 1020$  (m<sup>2</sup>)    Width of Street 20 (m)

- 9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	N/A	(m <sup>2</sup> )	$\pm 260$	(m <sup>2</sup> )
Gross Floor Area:	N/A	(m <sup>2</sup> )	$\pm 520$	(m <sup>2</sup> )
No. of storeys:	N/A		2	
Width:	N/A	(m)	$\pm 14.94$	(m)
Length:	N/A	(m)	$\pm 17.56$	(m)
Height:	N/A	(m)	$\pm 6$	(m)

- 10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing		Proposed	
Front:	N/A	(m)	$\pm 2.54$	(m)
Rear:	N/A	(m)	$\pm 1.5$	(m)
Side:	N/A	(m)	$\pm 8.03$	(m)
Side:	N/A	(m)	$\pm 16$	(m)

- 11) What types of water supply, sewage disposal and storm drainage are available?

What type of access to the land?

Municipally owned & operated piped water system	<input checked="" type="checkbox"/>	Provincial Highway	<input type="checkbox"/>
Municipally owned & operated sanitary sewage system	<input checked="" type="checkbox"/>	Municipal Road	<input type="checkbox"/>
Lake	<input type="checkbox"/>	Maintained Yearly	<input checked="" type="checkbox"/>
Individual Well	<input type="checkbox"/>	Maintained Seasonal	<input type="checkbox"/>
Communal Well	<input type="checkbox"/>	Right-of-way	<input type="checkbox"/>
Individual Septic System	<input type="checkbox"/>	Water	<input type="checkbox"/>
Communal Septic System	<input type="checkbox"/>	If access is by water only, provide parking and docking facilities to be used.	
Pit Privy	<input type="checkbox"/>		
Municipal Sewers/Ditches/Swales	<input type="checkbox"/>		

- 12) Date(s) of construction of all buildings and structures on the subject land.

N/A

- 13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): Vacant

Length of time: Unknown

- 14) Proposed use(s) of the subject property.

Same as #13 ☐ or,

- 15) What is the number of dwelling units on the property? 0

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

If "yes", how many?

- 17) Existing uses of abutting properties: Residential / Parks & Open Space

A0049/2023

- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☒ Yes ☐ No

If "yes", indicate the application number(s): A0158/2022

or, describe briefly, \_\_\_\_\_

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If "Yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan. \_\_\_\_\_

### **PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, 2380363 ONTARIO LIMITED

(please print all

names), the registered owner(s) of the property described as

PCL 49451 SEC SES SRO BLK Y, PLAN M597 CITY OF SUDBURY (PIN 02127-0011)

in the City of Greater Sudbury:

#### **Collection, Use and Disclosure of Information:**

- acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

#### **Authority to Enter Land and Photograph**

- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

#### **Appointment of Authorized Agent**

- appoint and authorize TULLOCH (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 15<sup>th</sup> day of March, 20 24

X [Signature]  
(witness)

X [Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: X PAUL CHARBONNIERU

\*I have authority to bind the Corporation

A0049/2023

### PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, TULLOCH (please print all names),

the registered owner(s) or authorized agent of the property described as

PCL 49451 SEC SES SRO BLK Y, PLAN M597 CITY OF SUDBURY (PIN 02127-0011)

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this 18 day of March, 2024

Commissioner of Oaths

Karen Elizabeth Pigeau, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within the Territorial District of Sudbury and while appointed as a Deputy-Clerk for the City of Greater Sudbury.

signature of ~~Owner(s)~~ or Signing Officer or Authorized Agent  
(\*where a Corporation)

Print Name: Kevin J. Arn  
 \*I have authority to bind the Corporation

- \* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt:	Hearing Date:	Received By: N. Lewis
Zoning Designation: R3-1	Resubmission: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Previous File Number(s): A01581/2022		
Previous Hearing Date: Dec. 14, 2022		
Notes: Relief for proposed severed lot.		

A0049/2023



March 18, 2024  
Project No.: 21-1584

Planning Services  
City of Greater Sudbury  
Tom Davies Square  
200 Brady Street  
Ontario, P3A 5P3

**Re: Application for Minor Variance – Burton & Selkirk Proposal**

Dear Planning Services,

TULLOCH is retained by the owner of PIN 02127-0011 in Sudbury to coordinate the submission of two applications for minor variance over the subject property. The property is legally described as follows:

**PCL 49451 SEC SES SRO BLK Y, PLAN M597 CITY OF SUDBURY**

The applications would ultimately facilitate a severance (one new lot + one retained lot – as illustrated on the attached concept plan), and the development of a 2-storey, 8-unit multiple dwelling over the proposed severed lot and a 2-storey, 10-unit multiple dwelling over the proposed retained lot. Applications for consent will need to be submitted to permit the proposed severance. We note that, as part of the consent applications, mutual drainage and maintenance access easements will also be established (as illustrated on the attached concept plan).

The property is currently subject to applications for minor variance A0049/2023 & A0050/2023. These applications received formal comments from various government agencies (see attached comments), however they were not presented to the Committee of Adjustments as they were deferred to a future public hearing. These applications were deferred as it was found that additional/revised variances were needed. They were also deferred to evaluate the proposed development from a lot grading and drainage perspective.

A lot grading plan is currently being completed for the proposed development. With respect to this grading plan, TULLOCH's civil engineering group has had various correspondence with the City's Development Engineering Department, and received multiple sets of comments. As of the date of this cover letter, TULLOCH has submitted a revised grading plan to the City (see attached grading plan dated March 15, 2024), and awaits final approval.

For ease of reference, the below tables outline the difference between applications for minor variance A0049/2023 & A0050/2023, and the revised 2024 applications:

**Applications A0049/2023 & A0050/2023**

	VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
PROPOSED SEVERED LOT	Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m

A0049/2023

-	Parking Space Requirements	12 PS, per Table 5.5	8 PS (1 PS per unit)	4 PS
-	Minimum Lot Depth	30m, per Table 6.5	24m	6m
-	Minimum Front Yard Setback	6m, per Table 6.5	1.5m	4.5m
-	Minimum Rear Yard Setback	7.5m, per Table 6.5	1.5m	6m
-	VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
PROPOSED RETAINED LOT	Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m
-	Parking Space Requirements	15 PS, per Table 5.5	10 PS (1 PS per unit)	5 PS
-	Minimum Front Yard Setback	6m, per Table 6.5	3.5m	2.5m
-	Minimum Corner Side Yard Setback	4.5m, per Table 6.5	3.5m	1m
-	Yards where Parking Areas are Permitted	Parking areas shall be permitted in any part of any yard, except any required front yard or required corner side yard, per Section 5.2.4.3	Parking area to be located in the required corner side yard	Not permitted, per Section 5.2.4.3

#### Revised 2024 Applications

	VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
PROPOSED SEVERED LOT	Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m
-	Parking Space Requirements	12 PS, per Table 5.5	8 PS (1 PS per unit)	4 PS

REVISED (2024)	Minimum Lot Depth	30m, per Table 6.5	23m	7m
-	Minimum Front Yard Setback	6m, per Table 6.5	1.5m	4.5m
-	Minimum Rear Yard Setback	7.5m, per Table 6.5	1.5m	6m
ADDED (2024)	Yards where Parking Areas are Permitted	Front yard parking not permitted, per Section 5.2.4.3	Parking area to be located in the required front yard	Not permitted, per Section 5.2.4.3
-	VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
PROPOSED RETAINED LOT	Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m
-	Parking Space Requirements	15 PS, per Table 5.5	10 PS (1 PS per unit)	5 PS
REVISED (2024)	Minimum Front Yard Setback	6m, per Table 6.5	2.5m	3.5m
REMOVED (2024)	Minimum Corner Side Yard Setback	4.5m, per Table 6.5	3.5m	1m
ADDED (2024)	Minimum Interior Side Yard Setback	1.8m, per Table 6.5	0.8m	1m
-	Yards where Parking Areas are Permitted	Parking areas shall be permitted in any part of any yard, except any required front yard or required corner side yard, per Section 5.2.4.3	Parking area to be located in the required corner side yard	Not permitted, per Section 5.2.4.3

Through correspondence with City staff, it was confirmed that a variance over the severed lot with respect to Section 5.2.4.3 (relief for the parking area occupying the required front yard) in the zoning by-law is required.

The author is of the opinion that the applications are minor, desirable for the appropriate development of the land and maintain the intent of the official plan (OP) and zoning by-law.

*A0049/2023*



The subject property contains steep topography, featuring rock outcrop. These existing conditions create constraints to facilitate a medium density residential development, particularly with respect to the density envisioned for such developments in the OP (being 90 units per hectares, where  $\pm 80$  units per hectares is proposed over each lot). The property is currently zoned R3-1 (Medium Density Residential) in the zoning by-law, which permits the use of multiple dwellings as-of-right. Given the existing site conditions, there is need for some degree of relief from the zoning by-law to facilitate the proposed development that is currently permitted over the property. Finally, the existing built-up character of the area largely consists of properties that are also zoned medium density residential, currently featuring multiple dwellings. With respect to the properties zoned low density residential to the south of the property, a full 3 metre planting strip can be accommodated, per Section 4.15.4 of the zoning by-law.

This submission package includes the following:

- 2024 City of Greater Sudbury (CGS) Applications for Minor Variance (2);
- Concept Plan;
- Cover Letter responding to CGS Development Engineering Comments given on February 28, 2024;
- Lot Grading Plan dated March 15, 2024;
- AutoTURN Analysis for the parking area over the proposed severed lot to respond to CGS Development Engineering Comment(s) dated November 27, 2023;
- CGS Comments for applications A0049/2023 & A0050/2023; and
- Plan M-597.

We trust that this submission package will enable the City of Greater Sudbury to schedule a public hearing with the Committee of Adjustments.

We understand that this application for minor variance requires an application fee. For payment of this fee, please contact the undersigned by calling [REDACTED], or by emailing [REDACTED]

Respectfully Submitted,

Prepared by:

A handwritten signature in black ink, appearing to read 'A. Ariganello'.

Aaron Ariganello  
Land Use Planner, BURP  
TULLOCH

Reviewed by:

A handwritten signature in black ink, appearing to read 'Kevin Jarus'.

Kevin Jarus  
Planning Manager, M.Pl., RPP  
TULLOCH



1942 Regent Street  
Unit L  
Sudbury, ON  
P3E 5V5

T. 705 671.2295  
F. 705 671.9477  
TF. 800 810.1937  
sudbury@TULLOCH.ca

WWW.TULLOCH.ca

March 15, 2024

City of Greater Sudbury  
200 Brady Street  
P.O. Box 5000, Station A  
Sudbury, Ontario  
P3A 5P3

Attention: Mr. Jonathan Clark

Project: Lot Grading Plan:  
0 Burton Ave at the corner of Selkirk St  
PIN 02127-0011, Registered Plan M597, Sudbury  
TULLOCH File No. 211584

Attached to this letter please find the Lot Grading Plan for the above noted property which has been prepared in support of a severance application to the City of Greater Sudbury (City). The Lot Grading plan has been prepared in accordance with the City of Greater Sudbury Lot Grading Policy – January 27<sup>th</sup>, 2005. Preliminary Comments were received from the City via email on February 28, 2024. A summary of the City's comments and TULLOCH's responses are summarized in Table 1 below:

Table 1: City Comments and TULLOCH's Responses

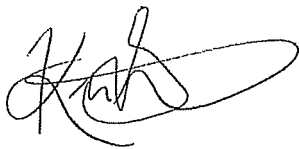
No.	Summary of City Comments	TULLOCH Response
1	Provide insulation where sufficient frost cover cannot be obtained.	Note added to the Drawing:  "Storm sewer to be insulated per OPSD 1109.030 where less than 1.5m of Cover from pipe obvert to finished surface."
2	Access to the walkway will likely be blocked by vehicles in the accessible space. provide a clear path of travel for pedestrians where possible.	The parking spaces closest to the building and the hammerhead have been shift 0.75 m to the southeast to allow for an additional 0.75 m for a 1.5 m wide concrete walkway and an accessible parking space of 3.85 m to allow for an overall accessible parking and unloading space 5.35 m. The 1.5 m wide concrete walkway would serve as a dual-purpose to allow for pedestrian access to the building and an unloading space to meet the intention of Section 5.2.3.5(a) of the zoning by-law.

A0049/2023

No.	Summary of City Comments	TULLOCH Response
3	This downspout should be connected to the new storm system so that it doesn't spill out to the parking spaces or across the walkway resulting in slippery conditions in the winter.	Note added to the Drawing:  "Downspout to be connected to the 300mm dia. storm sewer"
4	Direct DS to landscaped area where possible.	Two notes added to Drawing:  "Direct downspout to swale" and  "Direct downspout to landscaped area"
5	Grades do not appear to allow for bank on the south side of the ditch	Grades revised.
6	Since the parking lot drainage is not being directed to this swale and there appears to be minimal storm water directed to this swale, then this area can flow directly onto the boulevard.	Landscape wall and swale removed to allow flow to drain directly onto the boulevard. Grades of grasses area between the walkway the property line are less than 3:1.

We trust you will find this acceptable. If you have any questions or concerns, please don't hesitate to contact the undersigned.

Respectfully submitted,  
**TULLOCH ENGINEERING INC.**



Kayla Schmidt, M.A.Sc., P.Eng.  
Project Manager  
kayla.schmidt@tulloch.ca

A0049/2023



City of Greater Sudbury  
Ville du Grand Sudbury

November 27, 2023



Tulloch Engineering Inc.  
1942 Regent Street  
Sudbury, ON P3E 5V5

Attention: Kayla Schmidt

Re: 0 Burton Ave

PIN 02127-0011, Registered Plan M597, Sudbury  
Lot Grading Plan Review

PO BOX 5000 STN A  
200 BRADY STREET  
SUDBURY ON P3A 5P3

CP 5000 SUCCA  
200, RUE BRADY  
SUDBURY ON P3A 5P3

The Development Engineering section has reviewed the Lot Grading Plan submitted in conjunction with the above noted consent applications and wish to provide the following comments:

705.671.2489

[www.greatersudbury.ca](http://www.greatersudbury.ca)  
[www.grandsudbury.ca](http://www.grandsudbury.ca)

1. Where new impervious surfaces (i.e., parking, building, etc.) are proposed, stormwater management (SWM) must be addressed as per the City's Stormwater Management Guide. Refer to Section 2.15 Exemptions for small sites.
2. Due to the size of the site, and associated impervious surfaces, a storm service connection to the City's storm infrastructure is required. Development Engineering can be contacted to discuss.
3. Grading within the site along the municipal right of way should accommodate an urban cross section within the right of way (i.e a 2-4% cross fall from the property line to the curb).
4. The east facing parking stall in the parking lot for the 8 Unit Dwelling does not appear to provide the ability to exit the site in a forward manner. Please confirm.

Please update and resubmit the plans at your earliest convenience. Please contact Kyle Gorman at 705-674-4455 ext. 4469 for further clarification.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jonathan Clark'.

Jonathan Clark, P.Eng.  
Subdivision/Site Plan Control Engineer

KEG/ds

A0049/2023





Box 5000, Station 'A'  
200 Brady St  
Sudbury, Ontario P3A 5P3  
(705) 671-2489 ext 4376 or 4346  
(705) 673-2200 FAX

### COMMENT(S) FOR APPLICATION A0049/2023

CGS: Development Engineering	2023/04/27	No objection.
CGS: Strategic and Environmental Planning	2023/04/27	No concerns
Ministry of Transportation	2023/04/28	We have determined that the subject lands are not within MTO's permit control area, therefore, the MTO does not have any comments to provide.
CGS: Site Plan Control	2023/05/02	The owner should pre-consult with Development Engineer (Jonathan Clark 705-674-4455 ext 2381) to confirm complete building permit application requirements for grading and service of the proposed development.
CGS: Development Approvals Section	2023/05/03	<p>The above noted applications were submitted concurrently and collectively are seeking variances that would facilitate the severance of the subject lands that are located at the Burton Avenue and Selkirk Street in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R3-1", Medium Density Residential under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. There is a previous approved minor variance application (File # A0158/2022) on the lands that would facilitate construction of two multiple dwellings with each containing eight residential dwelling units. Staff previously noted that the lands are irregular in shape with the rear portions of the lands containing steep topography containing a rock outcrop and mature vegetation. Staff has also previously attended the lands and is of the opinion that the above noted site conditions represent a significant constraint to facilitating medium density residential development on the lands and as such there is a demonstrated need for some degree of relief from the provisions of the City's Zoning By-law. Staff also understands that the owner now intends on severing the lands and increasing the total number of residential dwelling units on both resulting lots from 16 residential dwelling units to 18 residential dwelling units. Staff has reviewed the previous variances granted and has no concerns with the changes made to the development proposal that would facilitate the severance of the lands and also to increase the number of residential dwelling units as noted above. Staff is again satisfied that none of the variances are excessive or unreasonable in nature and the resulting built-form being that of two multiple dwellings can be appropriately situated on the lands without generating any negative land use planning impacts on abutting residential lands or on the existing residential character that exists along both Burton Avenue and Selkirk Street. The owner is advised that staff would not recommend proceeding at this time with a decision given that building permit review may result in the location of buildings, parking areas and/or landscaped open space areas being shifted, or additional variances may end up being required. Staff notes in particular that the revised development proposal appears to have eliminated a snow storage area and refuse storage area and through building permit review these issues may result in changes to the development proposal that could trigger new minor variance application(s). If the owner chooses to proceed, staff would advise the Committee that they should ensure that the owner understands that they would be proceeding at their own risk of needing further or different relief in the future.</p>

A0049/2023

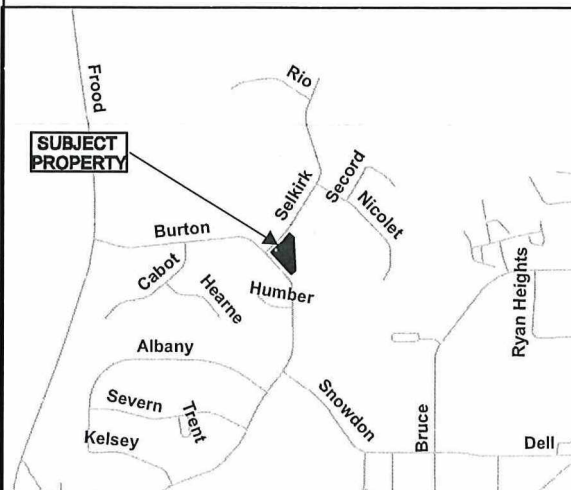
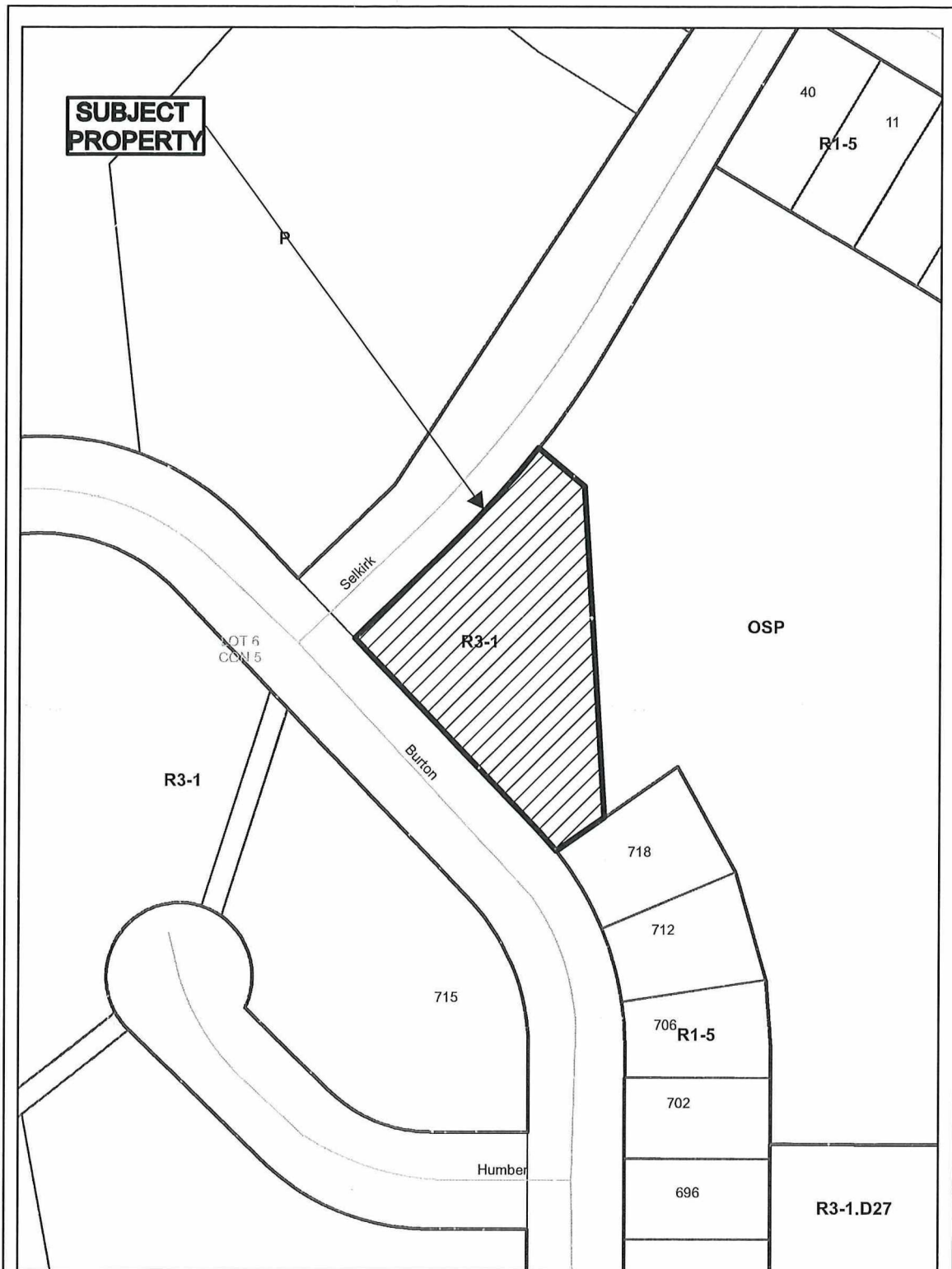
Recommendation for A0049/2023

Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained

Greater Sudbury Hydro Inc.	2023/05/03	Maintain proper clearance from energized apparatus and conductors as per latest edition of Ontario Electrical Safety Code. No structures shall encroach upon GHSI easements. For clarification, please contact GSHI Engineering Department.
CGS: Building Services Section	2023/05/03	Based on the information provided, Building Services has the following comments: 1) With respect to the location of parking, in accordance with Section 5.2.4.3. (b) of Zoning By-law 2010-100Z, parking is not permitted within the required front yard. A minor variance is required. 2) With respect to bicycle parking, in accordance with Part 5, Section 5.8, Table 5.10, 4 bicycle parking spaces are required (0.5 bicycle spaces per dwelling unit). Further minor variances may be required. 3) With respect to the future lot 1 and future lot 2 as indicated on the site plan provided, an Application for Consent is required for the proposed severance of the subject property. 4) With respect to the proposed 2 storey, 8 unit multiple dwelling, building permit and building permit documents to be submitted to the satisfaction of the Chief Building Officials.
The Nickel District Conservation Authority	2023/05/03	The Nickel District Conservation Authority (Conservation Sudbury) staff has reviewed the above-noted application for relief the Zoning By-law for the City of Greater Sudbury, as amended, for approval for a lot to be severed subject to a future Consent Application, and proposed two-storey, eight-unit multiple dwelling, providing landscaped area, parking spaces, lot depth, and front yard and rear yard setbacks at variance to the By-law.  Conservation Sudbury does not object to Minor Variance A0049/2023. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.
CGS: Infrastructure Capital Planning Services	2023/05/03	Roads No concerns. Transportation and Innovation Support We note that a parking reduction is requested for the severed lands. The owner understands that Parking is restricted on Burton Avenue. It is unclear where any overflow staff or visitors to this site will park. Active Transportation No concerns.

A0049/2023



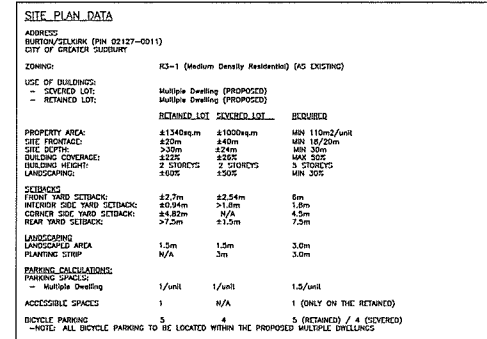


## Application for Minor Variance or Permission



Subject Property being PIN 02127-0011,  
Parcel 49451 SEC SES SRO, Block Y, Plan M-597,  
Lot 6, Concession 5, Township of McKim,  
0 Burton Avenue, Sudbury,  
City of Greater Sudbury

Sketch 1, NTS **A0049/2023** & A0050/2023  
NDCA Watershed Date: 2023 04 24



- ① DENOTES DRAINAGE + MAINTENANCE ACCESS  
EASEMENT BENEFITING RETAINED LOT
- ② DENOTES DRAINAGE EASEMENT BENEFITING  
SEVERED LOT
- ③ DENOTES DRAINAGE EASEMENT BENEFITING  
SEVERED LOT

2380363  
ONTARIO LIMITED

PROJECT TITLE:

BURTON/SELKIRK  
PROPOSAL

DRAWING TITLE:

CONCEPT PLAN  
FOR PROPOSED  
MINOR VARIANCES  
& SEVERANCE

AA	AA	KJ	KJ
DRAWN	DESIGNED	CHECKED	APPROVED
1:200		MAR 2024	
SCALE		DATE	
21-1584	-	-	
PROJECT No.	REVISION	DRAWING	

A0049/2023  
Sketch 2

PLAN OF SUBDIVISION  
OF PART OF PART 2  
AS SHOWN ON PLAN SR-1 (SUDBURY)  
(SITUATED IN LOT 6, CON. 2)  
TOWNSHIP OF MCKIM  
CITY OF SUDBURY  
DISTRICT OF SUDBURY

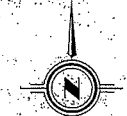
SCALE: 1"=100'

RAY T. LANE, O.L.S. 1959

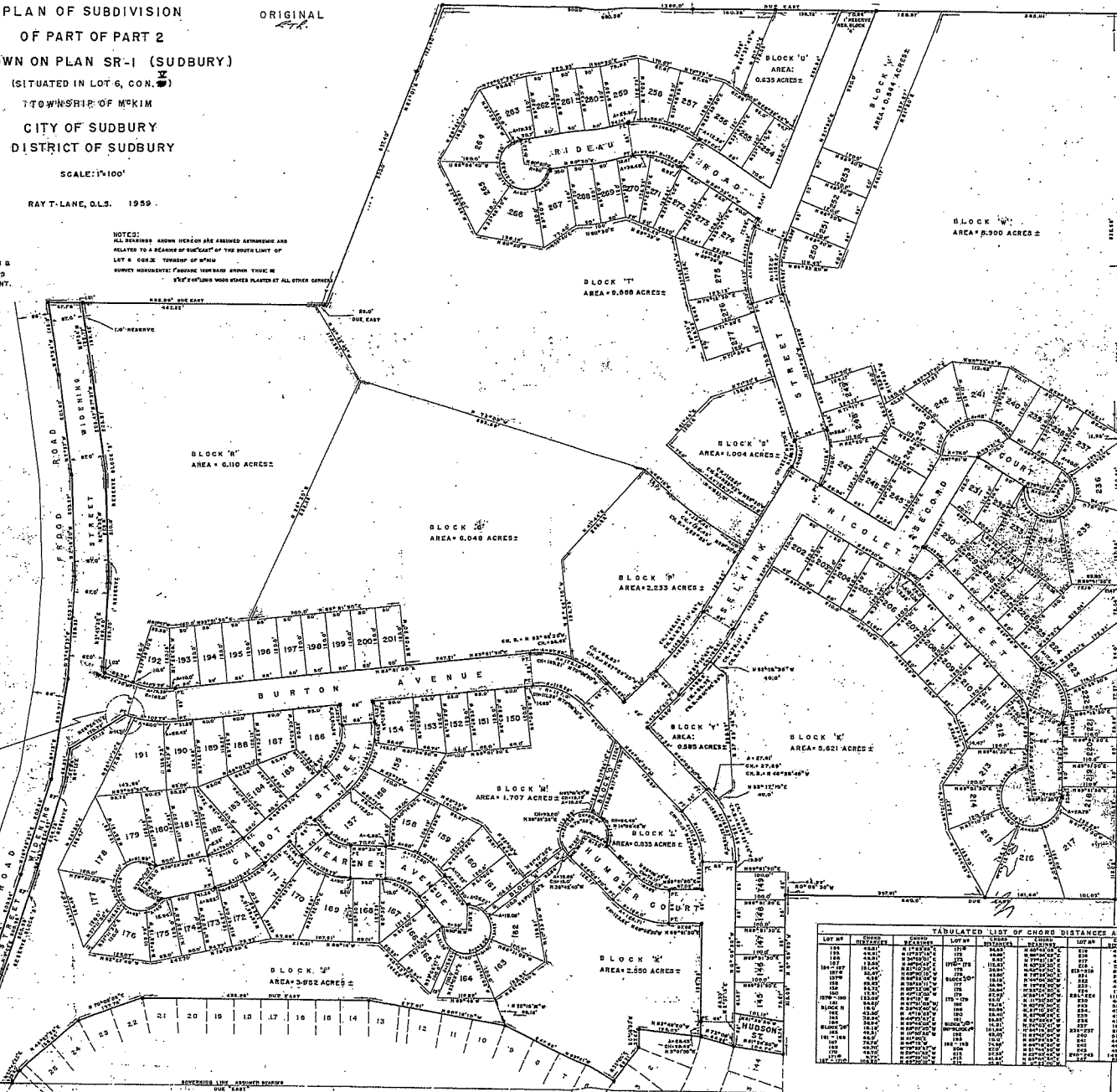
ORIGINAL  
*Ray T. Lane*

LANE AND LANE  
ONTARIO LAND SURVEYORS &  
PROFESSIONAL ENGINEERS  
107 FINE ST. SUDBURY, ONT.

NOTES:  
ALL DISTANCES SHOWN HEREON ARE ASSUMED ANTI-MERIDIAN AND  
RELATIVE TO A BEARING OF 0°00'00" OF THE SOUTH LINE OF  
LOT 6, CON. 2, TOWNSHIP OF MCKIM  
SURVEY MONUMENTS: FURNISHING MONUMENTS WITHIN 100' OF  
EACH CORNER OF LAND SHOWN PLANTED AT ALL OTHER CORNERS



ENLARGEMENT  
1:500 TO SCALE



M-597

APPROVED FOR REGISTRATION  
20-10-60  
SB. ASST. EXAMINER OF SURVEY  
PLAN N° 597 REGISTERED 23 Nov 1960  
AND ENTERED ON MAPS 24 Nov 1960  
*Ray T. Lane*  
RAY T. LANE, O.L.S.  
Reference: 168 838

SURVEYOR'S CERTIFICATE:

I, RAY T. LANE, OF THE CITY OF SUDBURY, DISTRICT OF SUDBURY, ONTARIO, LAND SURVEYOR, DO HEREBY CERTIFY THAT:  
1. THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY REPRESENTED BY THIS PLAN.  
2. THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND TITLES ACT, AND REGULATIONS MADE THEREUNDER, AND  
3. THAT THE SURVEY HAS BEEN CONDUCTED IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND TITLES ACT, AND REGULATIONS MADE THEREUNDER.  
I HAVE SIGNED THIS CERTIFICATE  
IN SUDBURY, ONTARIO  
THIS 23rd DAY OF NOVEMBER, 1959

*Ray T. Lane*  
RAY T. LANE, O.L.S.  
A COMMISSIONER OF THE DISTRICT OF SUDBURY, ONTARIO, HAS REVIEWED THE SURVEY AND PLAN REPRESENTED BY THIS PLAN, AND HAS FOUND THAT THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND TITLES ACT, AND REGULATIONS MADE THEREUNDER, AND THAT THE SURVEY HAS BEEN CONDUCTED IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND TITLES ACT, AND REGULATIONS MADE THEREUNDER.  
I HAVE SIGNED THIS CERTIFICATE  
IN SUDBURY, ONTARIO  
THIS 23rd DAY OF NOVEMBER, 1959

*Ray T. Lane*  
RAY T. LANE, O.L.S.  
FOR SENDING TO THE REGISTRAR

CERTIFIED A TRUE COPY OF THE FIELD NOTES OF SURVEY  
DATE  
JUNE 25, 1960  
RAY T. LANE, O.L.S.  
LAND SURVEYOR

REGISTERED, EVIDENCE AND DEEDS ARE FILED HEREIN  
DATE  
JUNE 25, 1960  
RAY T. LANE, O.L.S.  
LAND SURVEYOR

TABULATED LIST OF CHORD DISTANCES AND CHORD BEARINGS									
LOT #	CHORD DISTANCE	CHORD BEARING	LOT #	CHORD DISTANCE	CHORD BEARING	LOT #	CHORD DISTANCE	CHORD BEARING	LOT #
101	100.00	N 0° 00' 00" E	101	100.00	N 0° 00' 00" E	101	100.00	N 0° 00' 00" E	101
102	100.00	N 0° 00' 00" E	102	100.00	N 0° 00' 00" E	102	100.00	N 0° 00' 00" E	102
103	100.00	N 0° 00' 00" E	103	100.00	N 0° 00' 00" E	103	100.00	N 0° 00' 00" E	103
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Box 5000, Station 'A', 200 Brady Street  
Sudbury ON P3A 5P3  
Tel. (705) 671-2489, Ext. 4376/4346  
Fax (705) 673-2200

Revised  
'Retained Lot'

Office Use Only 2024.01.01
A 0050/8023
S.P.P. AREA
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
NDCA REG. AREA
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

## City of Greater Sudbury APPLICATION FOR MINOR VARIANCE

APPLICATION FEE: \$1,360.00 (includes \$320.00 legal notice fee)  
APPLICATION FEE FOR HEDGEROWS: \$409.00 (includes \$320.00 legal notice fee)  
CASH, DEBIT OR CHEQUE MADE PAYABLE TO: CITY OF GREATER SUDBURY

Personal information on this form is collected pursuant to the Planning Act, R.S.O. 1990 c.P.13. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals. In accordance with Section 1.0.1 of the *Planning Act*, R.S.O. 1990 information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

PLEASE PRINT. SCHEDULES MAY BE INCLUDED, IF NECESSARY.

- 1) The undersigned hereby applies to the Committee of Adjustment of the City of Greater Sudbury under Section 45 of the Planning Act R.S.O. 1990, c.P. 13 for relief, as described in this application, from the By-Law, as amended.

Registered Owner(s): 2380363 ONTARIO LIMITED	Email: [REDACTED]
Mailing Address: 219 O'Neil Drive East, Hanmer	Home Phone: [REDACTED]
	Business Phone: [REDACTED]
City: Sudbury	Postal Code: P3L 1H6
	Fax Phone: [REDACTED]

- 2) If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify.

Name of Agent: TULLOCH	Email: [REDACTED]
Mailing Address: 1942 Regent Street Unit L	Home Phone: [REDACTED]
Unavailable	Business Phone: [REDACTED]
City: Sudbury	Postal Code: P3E 5V5
	Fax Phone: [REDACTED]

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

- 3) Names and mailing addresses of any mortgagees, holders of charges or other encumbrances. (Give full particulars to ensure that any individual, company, financial institution holding a mortgage, etc. on the subject lands can be notified of this application).

Name: N/A
Mailing Address: [REDACTED]
City: [REDACTED]
Postal Code: [REDACTED]

- 4) Current Official Plan designation: Living Area I      Current Zoning By-law designation: Density Residential) R3-1 (Medium)

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made. (If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

Variance To	By-law Requirement	Proposed	Difference
SEE APPENDIX 1			

- b) Is there an eave encroachment? ☐ Yes ☒ No      If 'Yes', size of eaves: \_\_\_\_\_ (m)

- c) Description of Proposal:

Proposed minor variances as described above to facilitate the development of a 2 storey 10 unit multiple dwellings on the proposed retained lot.

- d) Provide reason why the proposal cannot comply with the provisions of the Zoning By-law:

Limited space on the subject property due to topographic constraints. Further, the variances are proposed to make the site developable, enable the density envisioned in the OP for medium density residential housing (90u/ha) (76u/ha proposed) and facilitate the creation of the proposed lots as outlined on the attached drawing.

- 6) Legal Description (include any abutting property registered under the same ownership).

PIN(s): 02127-0011		Township: Sudbury	
Lot No.:	Concession No.:	Parcel(s): 49451	
Subdivision Plan No.: M597		Lot: BLK Y	Reference Plan No.:
Municipal Address or Street(s): Unavailable		Part(s):	

- 7) Date of acquisition of subject land. Sep 29, 2021

- 8) Dimensions of land affected.

Frontage ±20	(m)	Depth ±56m	(m)	Area ±1340	(m <sup>2</sup> )	Width of Street 20	(m)
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- 9) Particulars of all buildings:

	Existing		Proposed	
Ground Floor Area:	N/A	(m <sup>2</sup> )	±297.5	(m <sup>2</sup> )
Gross Floor Area:	N/A	(m <sup>2</sup> )	±595	(m <sup>2</sup> )
No. of storeys:	N/A		2	
Width:	N/A	(m)	±14.95	(m)
Length:	N/A	(m)	±20	(m)
Height:	N/A	(m)	±6	(m)

- 10) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	Existing		Proposed	
Front:	N/A	(m)	±2.7	(m)
Rear:	N/A	(m)	±33	(m)
Side:	N/A	(m)	±0.94	(m)
Side:	N/A	(m)	4.82	(m)

- 11) What types of water supply, sewage disposal and storm drainage are available?

☒ Municipally owned & operated piped water system  
☒ Municipally owned & operated sanitary sewage system  
☐ Lake  
☐ Individual Well  
☐ Communal Well  
☐ Individual Septic System  
☐ Communal Septic System  
☐ Pit Privy  
☐ Municipal Sewers/Ditches/Swales

What type of access to the land?

☐ Provincial Highway  
☐ Municipal Road  
☒ Maintained Yearly  
☐ Maintained Seasonal  
☐ Right-of-way  
☐ Water  
 If access is by water only, provide parking and docking facilities to be used.

- 12) Date(s) of construction of all buildings and structures on the subject land.

N/A

- 13) Existing use(s) of the subject property and length of time it / they have continued.

Use(s): Vacant Length of time: Unknown

- 14) Proposed use(s) of the subject property.

Same as #13 ☐ or,

- 15) What is the number of dwelling units on the property? 0

- 16) If this application is approved, would any existing dwelling units be legalized?

☐ Yes ☒ No

If "yes", how many?

- 17) Existing uses of abutting properties: Residential / Parks & Open Space

A0050/2023

- 18) To the best of your knowledge has the subject land ever been subject of a previous application for minor variance/permission? ☒ Yes ☐ No

If "yes", indicate the application number(s): A0158/2022

or, describe briefly, \_\_\_\_\_

- 19) Is the property the subject of a current application for Consent (i.e. severance) under Section 53 of the Planning Act, R.S.O. 1990 c.P.13? ☐ Yes ☒ No

If "yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 20) Is the property the subject of a current application for a Plan of Subdivision under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, or its predecessors? ☐ Yes ☒ No

If "Yes", indicate application number(s) and status of application(s): \_\_\_\_\_

- 21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan? ☐ Yes ☒ No

If "yes", provide details on how the property is designated in the Source Protection Plan. \_\_\_\_\_

### **PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, 2380363 ONTARIO LIMITED

(please print all

names), the registered owner(s) of the property described as

PCL 49451 SEC SES SRO BLK Y, PLAN M597 CITY OF SUDBURY (PIN 02127-0011)

in the City of Greater Sudbury:

#### **Collection, Use and Disclosure of Information:**

- acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

#### **Authority to Enter Land and Photograph**

- grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Land Tribunal, the City of Greater Sudbury may not attend at the Ontario Land Tribunal hearing unless the City is provided with the City's required fee for attendance at the hearing;

#### **Appointment of Authorized Agent**

- appoint and authorize TULLOCH (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions, and providing any approvals or consents and ratify, confirm, and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this 15<sup>th</sup> day of March, 20 24

X [Signature]  
(witness)

X [Signature]  
signature of Owner(s) or Signing Officer or Authorized Agent

Print Name: X PAUL CHARBONNIER

\*I have authority to bind the Corporation

A0050/2023

### PART B: OWNER OR AUTHORIZED AGENT DECLARATION

I/We, TULLOCH (please print all names),

the registered owner(s) or authorized agent of the property described as

PCL 49451 SEC SES SRO BLK Y, PLAN M597 CITY OF SUDBURY (PIN 02127-0011)

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this 18 day of March, 2024

~~Commissioner of Oaths~~

Karen Elizabeth Pigeau, a Commissioner for taking Affidavits in and for the Courts of Ontario, while within the Territorial District of Sudbury and while appointed as a Deputy-Clerk for the City of Greater Sudbury.

signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

Print Name: Kevin Jara  
 \*I have authority to bind the Corporation

\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**FOR OFFICE USE ONLY**

Date of Receipt:                      Hearing Date:                      Received By: N. Lewis

Zoning Designation: R3-1      Resubmission: ☒ Yes    ☐ No

Previous File Number(s): AO158/2022

Previous Hearing Date: Dec. 14, 2022

Notes: Relief for proposed retained lot.

A0050/2023

# Appendix 1

- 5) a) Nature and extent of relief from the Zoning By-law for which the application is being made.  
(If more than five variances are being sought, a schedule may be attached to the application form). Measurements must be in metric.

VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
Landscaped Area Requirements, per Section 4.15.1	3m	1.5m	1.5m
Parking Space Requirements, per Table 5.5	15 PS	10 PS (1 PS per unit)	5 PS
Minimum Front Yard Setback, per Table 6.5	6m	2.5m	3.5m
Minimum Interior Side Yard Setback, per Table 6.5	1.8m	0.8m	1m
Yards where Parking Areas are Permitted, per Section 5.2.4.3	Corner side yard parking not permitted	Parking area to be located in the required corner side yard	To permit corner side yard parking
Percentage of Parking Spaces Dedicated to Compact Car Parking, per Section 5.2.3.4	10%, where 10 or more parking spaces are required on a lot (1 compact parking space)	20%, where 10 or more parking spaces are required on a lot (2 compact parking spaces)	10% (1 additional compact parking space)

A0050/2023





March 18, 2024  
Project No.: 21-1584

Planning Services  
City of Greater Sudbury  
Tom Davies Square  
200 Brady Street  
Ontario, P3A 5P3

**Re: Application for Minor Variance – Burton & Selkirk Proposal**

Dear Planning Services,

TULLOCH is retained by the owner of PIN 02127-0011 in Sudbury to coordinate the submission of two applications for minor variance over the subject property. The property is legally described as follows:

**PCL 49451 SEC SES SRO BLK Y, PLAN M597 CITY OF SUDBURY**

The applications would ultimately facilitate a severance (one new lot + one retained lot – as illustrated on the attached concept plan), and the development of a 2-storey, 8-unit multiple dwelling over the proposed severed lot and a 2-storey, 10-unit multiple dwelling over the proposed retained lot. Applications for consent will need to be submitted to permit the proposed severance. We note that, as part of the consent applications, mutual drainage and maintenance access easements will also be established (as illustrated on the attached concept plan).

The property is currently subject to applications for minor variance A0049/2023 & A0050/2023. These applications received formal comments from various government agencies (see attached comments), however they were not presented to the Committee of Adjustments as they were deferred to a future public hearing. These applications were deferred as it was found that additional/revised variances were needed. They were also deferred to evaluate the proposed development from a lot grading and drainage perspective.

A lot grading plan is currently being completed for the proposed development. With respect to this grading plan, TULLOCH's civil engineering group has had various correspondence with the City's Development Engineering Department, and received multiple sets of comments. As of the date of this cover letter, TULLOCH has submitted a revised grading plan to the City (see attached grading plan dated March 15, 2024), and awaits final approval.

For ease of reference, the below tables outline the difference between applications for minor variance A0049/2023 & A0050/2023, and the revised 2024 applications:

**Applications A0049/2023 & A0050/2023**

	VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
PROPOSED SEVERED LOT	Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m

*A0050/2023*

-	Parking Space Requirements	12 PS, per Table 5.5	8 PS (1 PS per unit)	4 PS
-	Minimum Lot Depth	30m, per Table 6.5	24m	6m
-	Minimum Front Yard Setback	6m, per Table 6.5	1.5m	4.5m
-	Minimum Rear Yard Setback	7.5m, per Table 6.5	1.5m	6m
-	VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
PROPOSED RETAINED LOT	Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m
-	Parking Space Requirements	15 PS, per Table 5.5	10 PS (1 PS per unit)	5 PS
-	Minimum Front Yard Setback	6m, per Table 6.5	3.5m	2.5m
-	Minimum Corner Side Yard Setback	4.5m, per Table 6.5	3.5m	1m
-	Yards where Parking Areas are Permitted	Parking areas shall be permitted in any part of any yard, except any required front yard or required corner side yard, per Section 5.2.4.3	Parking area to be located in the required corner side yard	Not permitted, per Section 5.2.4.3

#### Revised 2024 Applications

	VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
PROPOSED SEVERED LOT	Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m
-	Parking Space Requirements	12 PS, per Table 5.5	8 PS (1 PS per unit)	4 PS

REVISED (2024)	Minimum Lot Depth	30m, per Table 6.5	23m	7m
-	Minimum Front Yard Setback	6m, per Table 6.5	1.5m	4.5m
-	Minimum Rear Yard Setback	7.5m, per Table 6.5	1.5m	6m
ADDED (2024)	Yards where Parking Areas are Permitted	Front yard parking not permitted, per Section 5.2.4.3	Parking area to be located in the required front yard	Not permitted, per Section 5.2.4.3
-	VARIANCE TO	BY-LAW REQUIREMENT	PROPOSED	DIFFERENCE
PROPOSED RETAINED LOT	Landscaped Area Requirements	3m, per Section 4.15.1	1.5m	1.5m
-	Parking Space Requirements	15 PS, per Table 5.5	10 PS (1 PS per unit)	5 PS
REVISED (2024)	Minimum Front Yard Setback	6m, per Table 6.5	2.5m	3.5m
REMOVED (2024)	Minimum Corner Side Yard Setback	4.5m, per Table 6.5	3.5m	1m
ADDED (2024)	Minimum Interior Side Yard Setback	1.8m, per Table 6.5	0.8m	1m
-	Yards where Parking Areas are Permitted	Parking areas shall be permitted in any part of any yard, except any required front yard or required corner side yard, per Section 5.2.4.3	Parking area to be located in the required corner side yard	Not permitted, per Section 5.2.4.3

Through correspondence with City staff, it was confirmed that a variance over the severed lot with respect to Section 5.2.4.3 (relief for the parking area occupying the required front yard) in the zoning by-law is required.

The author is of the opinion that the applications are minor, desirable for the appropriate development of the land and maintain the intent of the official plan (OP) and zoning by-law.

*110050/2023*

The subject property contains steep topography, featuring rock outcrop. These existing conditions create constraints to facilitate a medium density residential development, particularly with respect to the density envisioned for such developments in the OP (being 90 units per hectares, where ±80 units per hectares is proposed over each lot). The property is currently zoned R3-1 (Medium Density Residential) in the zoning by-law, which permits the use of multiple dwellings as-of-right. Given the existing site conditions, there is need for some degree of relief from the zoning by-law to facilitate the proposed development that is currently permitted over the property. Finally, the existing built-up character of the area largely consists of properties that are also zoned medium density residential, currently featuring multiple dwellings. With respect to the properties zoned low density residential to the south of the property, a full 3 metre planting strip can be accommodated, per Section 4.15.4 of the zoning by-law.

This submission package includes the following:

- 2024 City of Greater Sudbury (CGS) Applications for Minor Variance (2);
- Concept Plan;
- Cover Letter responding to CGS Development Engineering Comments given on February 28, 2024;
- Lot Grading Plan dated March 15, 2024;
- AutoTURN Analysis for the parking area over the proposed severed lot to respond to CGS Development Engineering Comment(s) dated November 27, 2023;
- CGS Comments for applications A0049/2023 & A0050/2023; and
- Plan M-597.

We trust that this submission package will enable the City of Greater Sudbury to schedule a public hearing with the Committee of Adjustments.

We understand that this application for minor variance requires an application fee. For payment of this fee, please contact the undersigned by calling [REDACTED], or by emailing [REDACTED].

Respectfully Submitted,

Prepared by:



Aaron Ariganello  
Land Use Planner, BURP  
**TULLOCH**

Reviewed by:



Kevin Jarus  
Planning Manager, M.Pl., RPP  
**TULLOCH**



1942 Regent Street  
Unit L  
Sudbury, ON  
P3E 5V5

T. 705 671.2295  
F. 705 671.9477  
TF. 800 810.1937  
sudbury@TULLOCH.ca

WWW.TULLOCH.ca

March 15, 2024

City of Greater Sudbury  
200 Brady Street  
P.O. Box 5000, Station A  
Sudbury, Ontario  
P3A 5P3

Attention: Mr. Jonathan Clark

Project: Lot Grading Plan:  
0 Burton Ave at the corner of Selkirk St  
PIN 02127-0011, Registered Plan M597, Sudbury  
TULLOCH File No. 211584

Attached to this letter please find the Lot Grading Plan for the above noted property which has been prepared in support of a severance application to the City of Greater Sudbury (City). The Lot Grading plan has been prepared in accordance with the City of Greater Sudbury Lot Grading Policy – January 27<sup>th</sup>, 2005. Preliminary Comments were received from the City via email on February 28, 2024. A summary of the City's comments and TULLOCH's responses are summarized in Table 1 below:

Table 1: City Comments and TULLOCH's Responses

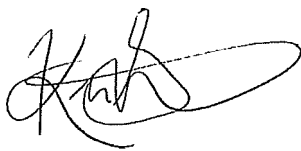
No.	Summary of City Comments	TULLOCH Response
1	Provide insulation where sufficient frost cover cannot be obtained.	Note added to the Drawing:  "Storm sewer to be insulated per OPSD 1109.030 where less than 1.5m of Cover from pipe obvert to finished surface."
2	Access to the walkway will likely be blocked by vehicles in the accessible space. provide a clear path of travel for pedestrians where possible.	The parking spaces closest to the building and the hammerhead have been shift 0.75 m to the southeast to allow for an additional 0.75 m for a 1.5 m wide concrete walkway and an accessible parking space of 3.85 m to allow for an overall accessible parking and unloading space 5.35 m. The 1.5 m wide concrete walkway would serve as a dual-purpose to allow for pedestrian access to the building and an unloading space to meet the intention of Section 5.2.3.5(a) of the zoning by-law.

A0050/2023

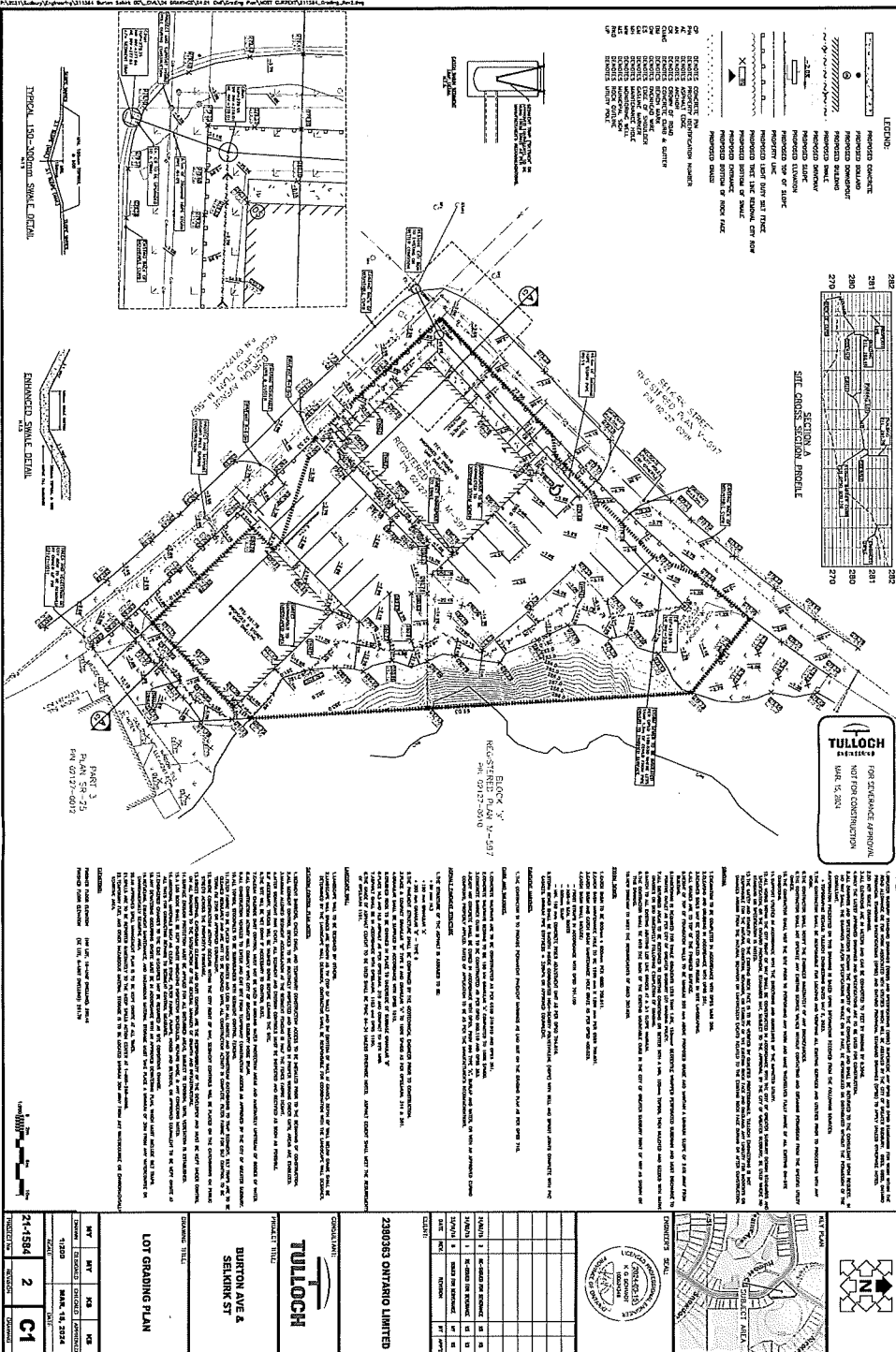
No.	Summary of City Comments	TULLOCH Response
3	This downspout should be connected to the new storm system so that it doesn't spill out to the parking spaces or across the walkway resulting in slippery conditions in the winter.	Note added to the Drawing:  "Downspout to be connected to the 300mm dia. storm sewer"
4	Direct DS to landscaped area where possible.	Two notes added to Drawing:  "Direct downspout to swale" and  "Direct downspout to landscaped area"
5	Grades do not appear to allow for bank on the south side of the ditch	Grades revised.
6	Since the parking lot drainage is not being directed to this swale and there appears to be minimal storm water directed to this swale, then this area can flow directly onto the boulevard.	Landscape wall and swale removed to allow flow to drain directly onto the boulevard. Grades of grasses area between the walkway the property line are less than 3:1.

We trust you will find this acceptable. If you have any questions or concerns, please don't hesitate to contact the undersigned.

Respectfully submitted,  
**TULLOCH ENGINEERING INC.**



Kayla Schmidt, M.A.Sc., P.Eng.  
Project Manager  
kayla.schmidt@tulloch.ca



A0050/2023

City of Greater Sudbury  
Ville du Grand Sudbury

November 27, 2023



Tulloch Engineering Inc.  
1942 Regent Street  
Sudbury, ON P3E 5V5

Attention: Kayla Schmidt

Re: 0 Burton Ave

PIN 02127-0011, Registered Plan M597, Sudbury  
Lot Grading Plan Review

PO BOX 5000 SIN A  
200 BRADY STREET  
SUDBURY ON P3A 5P3

CP 5000 SUCCA  
200, RUE BRADY  
SUDBURY ON P3A 5P3

The Development Engineering section has reviewed the Lot Grading Plan submitted in conjunction with the above noted consent applications and wish to provide the following comments:

705.671.2489

www.greatersudbury.ca  
www.grandsudbury.ca

1. Where new impervious surfaces (i.e., parking, building, etc.) are proposed, stormwater management (SWM) must be addressed as per the City's Stormwater Management Guide. Refer to Section 2.15 Exemptions for small sites.
2. Due to the size of the site, and associated impervious surfaces, a storm service connection to the City's storm infrastructure is required. Development Engineering can be contacted to discuss.
3. Grading within the site along the municipal right of way should accommodate an urban cross section within the right of way (i.e a 2-4% cross fall from the property line to the curb).
4. The east facing parking stall in the parking lot for the 8 Unit Dwelling does not appear to provide the ability to exit the site in a forward manner. Please confirm.

Please update and resubmit the plans at your earliest convenience. Please contact Kyle Gorman at 705-674-4455 ext. 4469 for further clarification.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jonathan Clark'.

Jonathan Clark, P.Eng.  
Subdivision/Site Plan Control Engineer

KEG/ds

A0050/2023



The grading plan for the Burton & Selkirk Lot shows a proposed building footprint of 52.53m by 10.11m. The building is labeled 'P' and 'TRAFIKVERKET 2015 (SE)'. The parking lot is labeled 'P' and 'TRAFIKVERKET 2015 (SE)'. The plan includes dimensions for various areas and a north arrow.

Dimensions and areas shown on the plan:

- Building footprint: 52.53m x 10.11m
- Parking lot area: 5.12m x 4.66m x 2.70m
- Other dimensions: 5.00m, 2.75m, 6.00m, 1.50m, 5.38m, 2.52m, 2.35m, 1.57m, 1.249m, 1.50m

The plan also shows a north arrow and a scale bar.



Box 5000, Station 'A'  
200 Brady St  
Sudbury, Ontario P3A 5P3  
(705) 671-2489 ext 4376 or 4346  
(705) 673-2200 FAX

### COMMENT(S) FOR APPLICATION A0050/2023

CGS: Development Engineering	2023/04/27	No objection.
CGS: Strategic and Environmental Planning	2023/04/27	No concerns
Ministry of Transportation	2023/04/28	We have determined that the subject lands are not within MTO's permit control area, therefore, the MTO does not have any comments to provide.
CGS: Site Plan Control	2023/05/02	The owner should pre-consult with Development Engineer (Jonathan Clark 705-674-4455 ext 2381) to confirm complete building permit application requirements for grading and service of the proposed development.
CGS: Development Approvals Section	2023/05/03	<p>The above noted applications were submitted concurrently and collectively are seeking variances that would facilitate the severance of the subject lands that are located at the Burton Avenue and Selkirk Street in Sudbury. The lands are designated Living Area 1 in the City's Official Plan and zoned "R3-1", Medium Density Residential under By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury. There is a previous approved minor variance application (File # A0158/2022) on the lands that would facilitate construction of two multiple dwellings with each containing eight residential dwelling units. Staff previously noted that the lands are irregular in shape with the rear portions of the lands containing steep topography containing a rock outcrop and mature vegetation. Staff has also previously attended the lands and is of the opinion that the above noted site conditions represent a significant constraint to facilitating medium density residential development on the lands and as such there is a demonstrated need for some degree of relief from the provisions of the City's Zoning By-law. Staff also understands that the owner now intends on severing the lands and increasing the total number of residential dwelling units on both resulting lots from 16 residential dwelling units to 18 residential dwelling units. Staff has reviewed the previous variances granted and has no concerns with the changes made to the development proposal that would facilitate the severance of the lands and also to increase the number of residential dwelling units as noted above. Staff is again satisfied that none of the variances are excessive or unreasonable in nature and the resulting built-form being that of two multiple dwellings can be appropriately situated on the lands without generating any negative land use planning impacts on abutting residential lands or on the existing residential character that exists along both Burton Avenue and Selkirk Street. The owner is advised that staff would not recommend proceeding at this time with a decision given that building permit review may result in the location of buildings, parking areas and/or landscaped open space areas being shifted, or additional variances may end up being required. Staff notes in particular that the revised development proposal appears to have eliminated a snow storage area and refuse storage area and through building permit review these issues may result in changes to the development proposal that could trigger new minor variance application(s). If the owner chooses to proceed, staff would advise the Committee that they should ensure that the owner understands that they would be proceeding at their own risk of needing further or different relief in the future.</p>

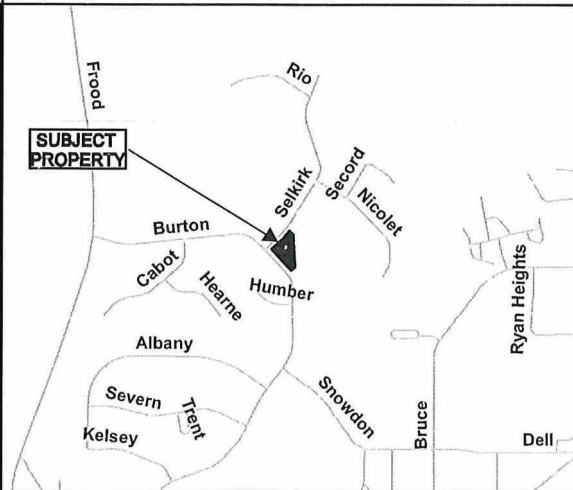
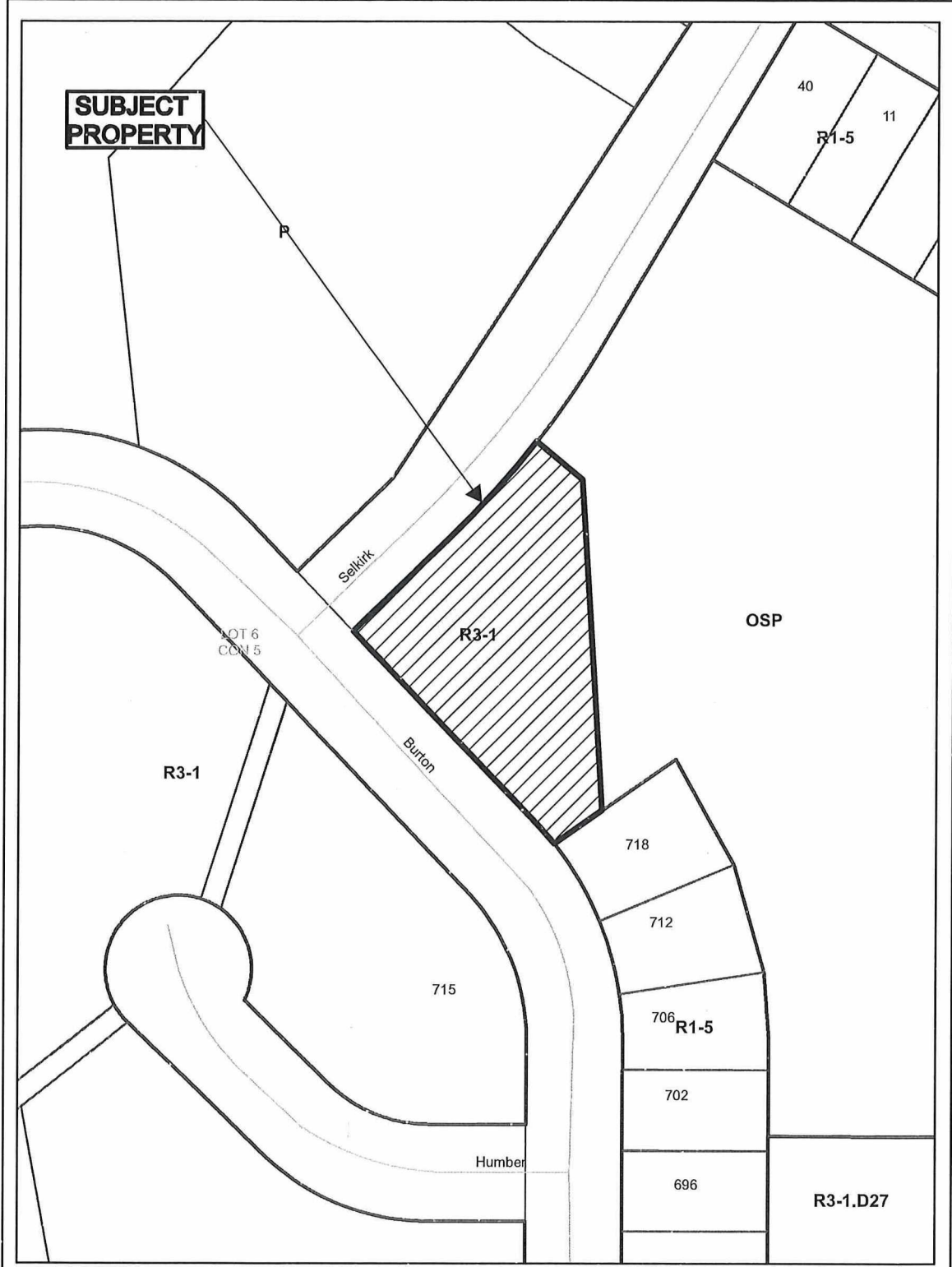
A0050/2023

Recommendation for A0050/2023

Staff recommends that the variances be approved as they are minor, appropriate development for the area and the intent of both the Official Plan and Zoning By-law are maintained.

Greater Sudbury Hydro Inc.	2023/05/03	Maintain proper clearance from energized apparatus and conductors as per latest edition of Ontario Electrical Safety Code. No structures shall encroach upon GHSI easements. For clarification, please contact GSHI Engineering Department.
CGS: Building Services Section	2023/05/03	Based on the information provided, Building Services has the following comments: 1) With respect to bicycle parking, in accordance with Part 5, Section 5.8, Table 5.10, 5 bicycle parking spaces are required (0.5 bicycle spaces per dwelling unit). Further minor variances may be required. 2) With respect to the future lot 1 and future lot 2 as indicated on the site plan provided, an Application for Consent is required for the proposed severance of the subject property. 3) With respect to the proposed 2 storey, 10 unit multiple dwelling, building permit and building permit documents to be submitted to the satisfaction of the Chief Building Officials.
The Nickel District Conservation Authority	2023/05/03	The Nickel District Conservation Authority (Conservation Sudbury) staff has reviewed the above-noted application for relief the Zoning By-law for the City of Greater Sudbury, as amended, for approval for a lot to be retained subject to a future Consent Application, and proposed two-storey, ten-unit multiple dwelling, providing landscaped area, parking location, parking spaces and front yard and corner side yard setbacks at variance to the By-law.  Conservation Sudbury does not object to Minor Variance A0050/2023. The subject property is not located in any area regulated by the Conservation Authority. We have no comment or objections to the proposed development.
CGS: Infrastructure Capital Planning Services	2023/05/03	Roads No concerns. Transportation and Innovation Support We note that a parking reduction is requested for the severed lands. The owner understands that Parking is restricted on Burton Avenue. It is unclear where any overflow staff or visitors to this site will park. Active Transportation No concerns.

A0050/2023

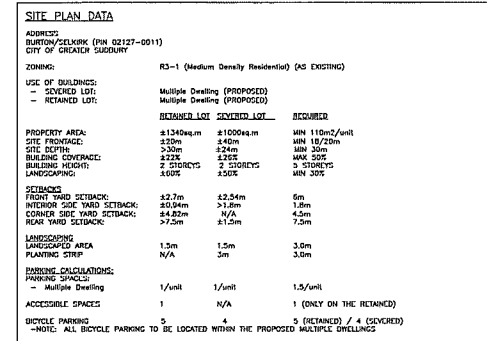


### Application for Minor Variance or Permission



Subject Property being PIN 02127-0011,  
Parcel 49451 SEC SES SRO, Block Y, Plan M-597,  
Lot 6, Concession 5, Township of McKim,  
0 Burton Avenue, Sudbury,  
City of Greater Sudbury

Sketch 1, NTS      A0049/2023 & A0050/2023  
NDCA Watershed      Date: 2023 04 24



- ① DENOTES DRAINAGE + MAINTENANCE ACCESS  
EASEMENT BENEFITING RETAINED LOT
- ② DENOTES DRAINAGE EASEMENT BENEFITING  
SEVERED LOT
- ③ DENOTES DRAINAGE EASEMENT BENEFITING  
SEVERED LOT

[illegible]

A0050/2023  
Sketch 2

